is time for us to go home. We can come back in the morning and start all over. I hope that any Members of the Senate who have remarks to make on the bill will come to the Chamber and say their piece as long and as loud and as persuasively as they may be able to do so, whether they be on this side of the aisle or on the other side of the aisle, and in that way ultimately we will get to a vote.

I know of no Senator who is trying to delay the bill. Certainly I am not trying to delay it. As the majority leader knows, the other day the minority leader and Members on this side of the aisle agreed to a unanimous-consent request, and proposed one.

I know that some Members on this side of the aisle feel very deeply about the bill, and believe a tragic mistake is being made in attempting to pass the bill in its present form.

We need have no illusions about Congress adjourning by July 31. We will have to consider conference reports on the tax bill and the housing bill. We will also discuss at some length, I believe, the very important farm bill, and the social-security bill. We will be here until after July 31 without any reference whatever to the important subject the Senator from Vermont [Mr. FLANDERS] will bring to our attention tomorrow, and a little later.

However, I want to cooperate with the majority leader, and I believe most Members on this side of the aisle want to do so.

We have a staff to consider. A Senator can take 2, or 3, or 4 hours off a day, as I have been doing in the last few days, but the staff must stay here every hour. It is now 25 minutes to midnight. By the time the staff members get home it will probably be 1 o'clock for many of them. In order to meet in the morning it will be necessary for the members of the staff to leave their homes very early, to make preparation for their work tomorrow morning.

I do not see how the Senate can stay in session much longer than it has been doing. If we have a chance to vote and pass the bill, I have no objection to staying an extra hour or two. However, when we work from 10 to 10 I believe we are doing all we can.

I hope that every Senator will be prepared to come to the Chamber tomorrow and say what he has to say, and that we can continue until the bill is finished, and then get along with the other business of the Senate.

I do not believe we will meet the July 31 deadline. It is a worthy objective to have, and a good goal to seek, but we will have to lay aside a part of the President's program or extend the time. We might as well be realists. If we are to pass the legislation on the program between now and July 31, it will not be very well considered.

Like the majority leader, I appeal to all Senators to keep in good humor to say what they have to say and what needs to be said, and no more, to try to get all the necessary legislation passed at the earliest possible date, and to stay here until it is all passed.

Mr. KNOWLAND. I thank the distinguished minority leader. I certainly have made it amply clear, both in my statement tonight and on prior occasions, that I have a very great appreciation and high regard for the cooperation which he has rendered in endeavoring to expedite the public's business; and nothing in any way, directly or indirectly, in my remarks was meant to be inferred differently. I believe on both sides of the aisle there has been a desire to cooperate. I fully agree with the remarks of the Senator from Iowa [Mr. HICKENLOOPER] in regard to the very able presentation, from his point of view, made by the Senator from Alabama [Mr. SPARKMAN]. Although he is not present at the moment, the Senator from New Mexico [Mr. ANDERSON] has been in the Chamber in almost regular attendance, and I believe he has contributed a great deal to the discussion that has taken place.

I will say that the distinguished Senator from New Mexico told me either last Friday or Saturday that he had no desire to have any undue delay in voting on amendments.

I hope that the Senators who seek enlightenment—and there have been some very able speeches made on both sides of the question—will be here promptly, and in that way all of us could save some time.

We lose considerable time in calling a quorum; perhaps over the course of a week we lose several hours in the calling of quorums. I hope that Senators will attend promptly and at least in that way save some time, so that we can complete as soon as possible after July 31 the legislative program which we have undertaken.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield.

Mr. HICKENLOOPER. I wish to keep the record straight, Mr. President, by saying that the Senator from Iowa is no more confused in confusing the Senator from Maryland with the Senator from Delaware than the Senator from Texas is confused when he says the Senator from Iowa suggested that any Senator be requested to return tonight or be brought back tonight.

Mr. KNOWLAND. Mr. President, I should like to say, in conclusion, that we do have a heavy program. It is absolutely necessary to meet for the long hours until we can finish the program, unless we can get some votes on the pending bill.

The PRESIDING OFFICER (Mr. THYE in the chair). What is the pleasure of the Senate?

RECESS TO 10 A. M. TOMORROW

Mr. KNOWLAND. Mr. President, in accordance with the order previously entered, I move that the Senate stand in recess until 10 o'clock a. m. tomorrow.

The motion was agreed to; and (at 11 o'clock and 37 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Tuesday, July 20, 1954, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate July 19 (legislative day of July 2), 1954:

COMMISSIONER OF SOCIAL SECURITY

Charles Irwin Schottland, of California, to be Commissioner of Social Security of the Department of Health, Education, and Welfare.

UNITED STATES MARSHAL

Charles Swann Prescott, of Alabama, to be United States marshal for the middle district of Alabama, vice Benjamin Franklin Ellis, removed.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 19, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Most merciful and gracious God, who art closer than breathing, nearer than hands and feet, we desire to begin, and to continue and to end this new week with Thee.

May our thoughts and activities always be permeated and controlled by a noble and magnanimous spirit, and may we be loyally joined in mind and heart with all who are earnestly striving to establish peace on earth.

Grant that there may be nothing in the work of any day of which we shall be ashamed when the sun has set or at the eventide of life when Thou dost call us to Thyself.

Inspire us with obedience and fidelity to the divine commandment to do justly, to love mercy, and to walk humbly with the Lord, our God.

Hear us in Christ's name. Amen.

The Journal of the proceedings of Thursday, July 15, 1954, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 4928. An act to authorize the Secretary of Agriculture to convey a certain parcel of land to the city of Clifton, N. J.;

H. R. 6263. An act to authorize the Secretary of Agriculture to convey certain lands in Alaska to the Rotary Club of Ketchikan, Alaska;

H. R. 6882. An act to amend the act of September 27, 1950, relating to construction of the Vermejo reclamation project;

H. R. 6975. An act authorizing the Secretary of the Interior to convey certain lands to the Siskiyou Joint Union High School District, Siskiyou County, Calif.;

H. R. 7012. An act for the relief of Nicole Goldman;

H. R. 7466. An act to authorize the Secretary of the Interior to execute an amendatory repayment contract with the Pine River Irrigation District, Colorado, and for other purposes;

H. R. 8026. An act to provide for transfer of title to movable property to irrigation districts or water users' organizations under the Federal reclamation laws; and

H. R. 8549. An act granting the consent of Congress to the Breaks Interstate Park Compact.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 130. An act to amend section 1 of the act approved June 27, 1947 (61 Stat. 189);

H. R. 6786. An act authorizing the Secretary of the Interior to purchase improvements or pay damages for removal of improvements located on public lands of the United States in the Palisades project area, Palisades reclamation project, Idaho; and

H. R. 8983. An act to provide for the conveyance of certain lands by the United States to the city of Muskogee, Okla.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 3339. An act to authorize the Farm Credit Administration to make loans of the type formerly made by the Land Bank Commissioner;

S. 3561. An act authorizing the Administrator of Veterans' Affairs to convey certain property to the Armory Board, State of Utah;

S. 3630. An act to permit the city of Philadelphia to further develop the Hog Island tract as an air, rail, and marine terminal by directing the Secretary of Commerce to release the city of Philadelphia from the fulfillment of certain conditions contained in the existing deed which restrict further development; and

S. 3713. An act to give effect to the International Convention for the High Seas Fisheries of the North Pacific Ocean, signed at Tokyo, May 9, 1952, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 2987. An act to provide for the transfer of hay and pasture seeds from the Commodity Credit Corporation to Federal land-administering agencies.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 3458) entitled "An act to authorize the long-term time charter of tankers by the Secretary of the Navy, and for other purposes"; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SALTONSTALL, Mr. BRIDGES, and Mr. RUSSELL to be the conferees on the part of the Senate.

The message also announced that the Senate recedes from its amendments Nos. 1, 2, and 3 to the bill H. R. 2846, an act authorizing the President to exercise certain powers conferred upon him by the Hawaiian Organic Act in respect of certain property ceded to the United States by the Republic of Hawaii, notwithstanding the acts of August 5, 1939, and June 16, 1949, or other acts of Congress.

Resolved, That the Senate recedes from its amendment to the title to the above-entitled bill.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bills of the House of the following titles:

H. R. 4854. An act to authorize the Secretary of the Interior to construct, operate, and maintain the irrigation works comprising the Foster Creek division of the Chief Joseph Dam project, Washington; and

H. R. 5185. An act for the relief of Klyce Motors, Inc.

SPECIAL ORDERS GRANTED

Mr PELLY asked and was given permission to address the House for 15 minutes on tomorrow, following the legislative program and any special orders heretofore entered.

Mrs. ROGERS of Massachusetts asked and was given permission to address the House for 5 minutes on tomorrow, following the legislative program and any special orders heretofore entered.

Mr. YOUNGER asked and was given permission to address the House for 30 minutes on tomorrow, following the legislative program and any special orders heretofore entered.

KLYCE MOTORS, INC.

Mr. BURDICK submitted a conference report and statement on the bill (H. R. 5185) for the relief of Klyce Motors, Inc.

COMPENSATION OF CERTAIN PERSONS DAMAGED BY REASON OF FLUCTUATIONS IN WATER LEVEL OF LAKE OF THE WOODS

Mr. BURDICK submitted a conference report and statement on the bill (H. R. 2089) to provide for the compensation of certain persons whose lands have been flooded and damaged by reason of fluctuations in the water level of the Lake of the Woods.

SPECIAL ORDER GRANTED

Mr. BAILEY asked and was given permission to address the House for 40 minutes on Wednesday next, following any special orders heretofore entered.

CHIEF JOSEPH DAM PROJECT

Mr. MILLER of Nebraska submitted a conference report and statement on the bill (H. R. 4854) to authorize the Secretary of the Interior to construct, operate, and maintain the irrigation works comprising the Foster Creek division of the Chief Joseph Dam project, Washington.

PALISADES PROJECT AREA, IDAHO

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6786) authorizing the Secretary of the Interior to purchase improvements or pay damages for removal of improvements located on public lands of the United States in the Palisades project area, Palisades reclamation project, Idaho, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 3, after "him", insert ": *Provided*, That no part of any payment provided for herein shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection therewith, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

AMENDING SECTION 1 OF THE ACT APPROVED JUNE 27, 1947

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 130) to amend section 1 of the act approved June 27, 1947 (61 Stat. 189), with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 4, after line 2, insert:

"SEC. 2. Said act approved June 27, 1947 (61 Stat. 189), is hereby further amended by adding at the end thereof a new section to be designated section 3 and to read as follows:

" 'SEC. 3. Jurisdiction is hereby conferred on the Court of Claims to determine, notwithstanding any statute of limitations or laches, in any suit instituted pursuant to section 1 of this act, (1) whether the assignment dated December 1, 1942, accepted and approved December 17, 1942, of oil and gas lease 149-ind-5337, covering the lands denominated "1942 lands" in section 4 of said agreement dated December 1, 1945, as amended, should in law or in equity, taking into consideration such fiduciary relationship as may exist between the United States and the Navaho Tribe, have been accepted by the United States for the account of the Navaho Tribe instead of for its own account, and, if such assignment should have been so accepted, whether the property interest or any part thereof covered by such assignment was taken by the United States from the said tribe at any time prior to the effective date of said agreement; (2) whether, and in what amount, if any, the Navaho Tribe is entitled on the basis of such determination to compensation for the acquisition or taking, by the United States, of the property interest or any part thereof covered by such assignment; and (3) whether, and in what amount, if any, the United States is entitled to credit against such compensation for rentals on such lease or for other expenditures, borne by the United States, for the benefit of such lease prior to any such acquisition or taking by the United States; and to enter judgment in accordance with such determination. No offsets shall be deducted by the court from any net sum, and the interest thereon, if any, that the court awards under this section. The provisions of the last two sentences of section 1 of this act shall be applicable to any judgment entered pursuant to this section'."

Amend the title so as to read: "An act to amend the act approved June 27, 1947 (61 Stat. 189)."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

COMMITTEE ON RULES

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that the Rules Committee have until midnight tonight to file rules, if granted, on H. R. 9936, H. R. 9859, Senate 3589, and H. R. 9756.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

QUESTION OF PRIVILEGE OF THE HOUSE

Mr. HALEY. Mr. Speaker, I rise to a question of the privilege of the House.

The SPEAKER. The gentleman is recognized.

Mr. HALEY. Mr. Speaker, I have been subpenaed to appear before the Circuit Court for the County of Sarasota, State of Florida, to give testimony on August 3, 1954, at 10 o'clock a. m., in a matter before said court wherein the County of Sarasota, State of Florida, is plaintiff and the State of Florida and the taxpayers, and so forth, is defendant. I am unable to comply with this summons without the consent of the House, the privileges of the House being involved. I, therefore, submit the matter for the consideration of this body.

Mr. Speaker, I send to the desk the subpena.

The Clerk read the subpena, as follows:

THE STATE OF FLORIDA.

To All and Singular the Sheriffs of the State of Florida—Greeting:

You are hereby commanded to subpena Hon. JAMES A. HALEY, to be and appear before the judge of our circuit court for the County of Sarasota, State of Florida, at the court house in Sarasota, on August 3, 1954, at 10 o'clock a. m., to testify and the truth to speak in behalf of the plaintiff in a certain matter before said court pending and undetermined, wherein County of Sarasota, Fla., is plaintiff, and State of Florida and the taxpayers, etc., is defendant. And this you shall in no wise omit.

Witness, W. A. Wynne, clerk of our said court, and the seal of our said court, at the clerk's office at Sarasota aforesaid this 17th day of July A. D. 1954.

W. A. WYNNE,
Clerk, Circuit Court.
By PRESTON KNAPP,
Deputy Clerk.

Mr. ARENDS. Mr. Speaker, I offer a resolution (H. Res. 640).

The Clerk read the resolution, as follows:

Whereas JAMES A. HALEY, a Representative in the Congress of the United States, has been served with a subpena to appear as a witness before the circuit court of the State of Florida for Sarasota County to testify at 10 o'clock a. m., on the 3d day of August 1954, in the case of the *County of Sarasota, Florida,* v. *State of Florida and the Taxpayers, Etc.;* and

Whereas by the privileges of the House of Representatives no Member is authorized to appear and testify but by the order of the House: Therefore be it

Resolved, That Representative JAMES A. HALEY is authorized to appear in response to the subpena of the Circuit Court of the State of Florida for Sarasota County on Tuesday, August 3, 1954, in the case of the *County of Sarasota, Florida,* v. *State of Florida and the Taxpayers, Etc.;* and be it further

Resolved, That a copy of these resolutions be transmitted to the said court as a respectful answer to the subpena of the said court.

The SPEAKER. The question is on the adoption of the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

TAX REFUNDS ON CIGARETTES LOST IN THE FLOODS OF 1951

The Clerk called the bill (H. R. 4319) to authorize tax refunds on cigarettes lost in the floods of 1951.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. SCRIVNER. Reserving the right to object, Mr. Speaker, this is a meritorious bill. It merely provides authority for the Treasury Department to set up procedure under which cigarette dealers who lost their entire stocks of merchandise in the flood of 1951 in Kansas City and other communities on the Kansas River who can prove their loss to the satisfaction of the Treasury Department can be reimbursed taxes which they had paid. The bill was reported favorably by the Committee on the Judiciary. There seems to be some conflict with the Committee on Ways and Means, although this is not a revenue matter.

This is the last opportunity for any such legislation to be adopted, and I had hoped that objection would not be made at this time or that it would not be passed over.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. SCRIVNER. I yield.

Mr. BYRNES of Wisconsin. I am certainly in sympathy with the general objectives of the gentleman. However, the Committee on Ways and Means itself has hoped to be able to get into this whole subject of refunds on excise taxes where the tax has been paid and then the item has been destroyed for some reason prior to the retail sale. However, as the gentleman knows, the committee has not gotten to that subject. In asking that the bill be passed over I am acting here on the general request of that committee.

Mr. SCRIVNER. Is there any information we can have at this time as to whether or not the Committee on Ways and Means will act on this type of legislation before the end of the session?

Mr. BYRNES of Wisconsin. I could not say definitely to the gentleman, but I think he could sort of suspect from the time that we expect to have left before adjournment that the likelihood is not very good.

Mr. SCRIVNER. I withdraw my reservation of objection, Mr. Speaker.

Mr. McCORMACK. Reserving the right to object, Mr. Speaker, and of course I cannot object, I know about this bill and I have studied it. It seems to me to be very meritorious legislation. It would be most unfortunate if it did not pass at this session. It is simply giving to certain businesses consideration to which they are entitled. The situation arose through no fault of the beneficiaries of this bill. They are asking only what seems to me to be not only justice, but from the angle of morality, what they are entitled to.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

STATUTORY AWARD FOR CERTAIN SERVICE - CONNECTED DISABILITIES

The Clerk called the bill (H. R. 7712) to amend the veterans' regulations to provide an increased statutory rate of compensation for veterans suffering the loss or loss of use of an eye in combination with the loss or loss of use of a limb.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ADDITIONAL COMPENSATION FOR CERTAIN VETERANS

The Clerk called the bill (H. R. 7851) to amend the veterans' regulation to provide additional compensation for veterans having the service-incurred disability of loss or loss of use of both buttocks.

Mr. FORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

INCREASED PENSIONS FOR MEDAL OF HONOR HOLDERS

The Clerk called the bill (H. R. 8900) to increase the rate of special pension payable to certain persons awarded the Medal of Honor.

Mr. FORD. I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

RETIRED PAY OF CERTAIN MEMBERS OF FORMER LIGHTHOUSE SERVICE

The Clerk called the bill (H. R. 1843) to increase the retired pay of certain members of the former Lighthouse Service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the annual rate of retired pay received by any person who was retired on or before June 30, 1950, under section 6 of the act of June 20, 1918, as amended and supplemented (33 U. S. C., secs. 763–765), shall be increased by $288, effective on the first day of the calendar month following enactment of this act.

With the following committee amendments:

Page 1, line 4, strike out "1950" and in lieu thereof, insert "1953."

Page 1, line 6, strike out the words "by $288" and in lieu thereof, insert a comma.

Page 1, line 8, before the period at the end of the sentence, insert a comma and the following: "by 15 percent or $264, whichever is the lesser: *Provided,* That no retired pay shall be increased to an amount in excess of $2,160 by reason of this act: *And provided further,* That the increases provided herein shall terminate, without subsequent resumption, on June 30, 1955."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENDING TIME FOR INITIATING TRAINING UNDER PUBLIC LAW 550

The Clerk called the bill (H. R. 9395) to amend the laws granting education and training benefits to certain veterans to extend the period during which such benefits may be offered.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice. We are getting closer to agreement on this matter, in which many Members of the House have expressed a very keen interest, and I think it will be worked out.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

TERMINATION OF FEDERAL SUPERVISION OVER CERTAIN INDIANS IN UTAH

The Clerk called the bill (S. 2670) to provide for the termination of Federal supervision over the property of certain tribes, bands, and colonies of Indians in the State of Utah and the individual members thereof, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. METCALF. Mr. Speaker, reserving the right to object, I would like to ask the chairman of the committee, or some of the other members of the committee, some questions about this bill. Inasmuch as it is indicated that this bill will serve as a pattern for other bills designed, as the committee says in its report on page 2, "to terminate trust relationships with tribes, groups and individual Indians as rapidly as the circumstances of each tribe, group or individual will permit," and since I am very much concerned over the impact and effect of this bill on the Flathead Reservation of the Kootenai and Salish tribes, I would like to know if, when the committee says that they will take into consideration as one of the criteria the attitude of the tribe toward termination, that means that they will get the consent of the tribe before they adopt a termination bill.

Mr. BERRY. The 4 groups who are in the bill now have consented, and the 2 groups that were taken out were taken out because they asked to be taken out. We are speaking only as to this bill.

Mr. METCALF. That is correct. I feel that the groups that were taken out because they did not want to come under this termination legislation should have been taken out. But, I wonder if in the future such action is going to be taken with other Indian tribes?

Mr. BERRY. This has been applicable in every bill that has been reported. What will be done in the future, of course, is impossible to say.

Mr. METCALF. I would also like to have the committee's attitude toward consultation and consent of the Governor and administrative officers of the State as well as the local agencies.

Mr. BERRY. In every instance, on any of these withdrawals, the State and local governments and organizations have been brought in. They have all testified. They have all either given their assent or have told why they did not wish that this legislation should pass. As a matter of fact, the California withdrawal bill has not gone forward because there was some objection from the State.

Mr. METCALF. I thank the gentleman.

Mr. Speaker, I have two more questions which are specifically directed to section 4, which section provides that rights in the tribal assets of those persons on the tribal rolls shall constitute a vested personal property interest. Section 3 declares that the decision of the Secretary of the Interior on the inclusion or exclusion of any persons from the rolls shall be final. Inasmuch as property rights are created by membership on the roll, a question arises as to whether an appeal to the courts by the tribe or aggrieved individual should not be allowed as, for instance, in the Menominee bill, which was recently passed.

Mr. BERRY. My recollection is that the decision of the Secretary is final as this bill has been written.

Mr. METCALF. That is right. It is final, and I question the proposition of due process in this bill, if an administrative official is given the final right to adjudicate personal property rights. I feel there should be a provision here for an appeal to the court from the decision of the Secretary.

Mr. BERRY. I think you will find in most of these tribal matters that the final appeal has been to the administrative officer, the Secretary of the Interior. In all other matter, or rather almost all other matters, his decision is final. This is just following a pattern that has been used for many, many years.

Mr. METCALF. However, there is a vested property right involved here.

Mr. BERRY. There is in all trust property.

Mr. METCALF. That is right.

Mr. BERRY. And there is no provision for an appeal to a court from trust property.

Mr. D'EWART. Mr. Speaker, will the gentleman yield?

Mr. METCALF. I yield.

Mr. D'EWART. Section 3 deals with who shall be put on the rolls, and the determination of the rolls, and it is the permission of the Secretary in certain instances to determine. That is necessary in order to ever get a final roll, and to know who is interested in the private property. Under the present law title does not rest in the individual, but title cannot be bequeathed nor can it be inherited. If we recognize that when these withdrawal acts were in force we have to realize that the Indian himself does have a property right in the tribal assets, which he does not have before the determination takes effect. It is to take care of that situation, to recognize that property right which did not heretofore exist.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. METCALF. I yield.

Mr. MILLER of Nebraska. On page 6 some of the trust agreements are taken care of, beginning in line 2, for instance, "*Provided,* That the trust agreement shall provide for the termination of the trust not more than 3 years from the day last prescribed, unless the term of the trust is extended by order of a judge of the court of record designated in the trust agreement." So the court does have some supervision.

Mr. METCALF. That is right, if the trust agreement is adopted, but the point I am making is, as my colleague from Montana [Mr. D'EWART], has said, heretofore there has not been a vested personal property right. This bill gives to the individual Indian a vested personal property right by virtue of inclusion in the roll. Now, if the Secretary refuses to include a person in the tribal roll, then such person is deprived of his interest in the tribal property, and it seems to me due process should require an appeal to the court.

Mr. MILLER of Nebraska. I think that is true, but this applies to only about 200 Indians and most of them do not live on the reservation.

Mr. METCALF. That is right, but I bring this out at this time in order to inform the House that when subsequent termination bills come up, which affect hundreds of Indians over a large area, I will be constrained to object unless there is a court appeal.

I would like to point out one thing more. Section 5 limits the organization of the tribe to individual entities. Indian tribes are a unique organization in our society. I do not know what the State law of Utah is, but the various organizations under the law of Montana that would affect a tribe are not adaptable to the requirements of the Indian organizations. The question arises as to whether there should not be some Federal organization continued in order to carry on this unique organization of the tribal communal system.

Mr. D'EWART. The committee recognizes that it should consider each tribe or group of tribes as an individual case, and also the law and the State officials and the taxing body. We tried to do that. Recently we dealt with the Klamath case. There is great difficulty with carefully working out with the tribal attorney, when that bill was agreed to, and we had a complete agreement with the tribe and the tribal attorney as

to the steps taken. The committee is going very slowly in these determination bills, trying to work out each individual case, as we did in the Klamath case, to fit the State law and the wishes of the tribe, and to do it so that we will retain the value of these assets to the Indians.

Mr. METCALF. I am grateful for the assurance of my colleague from Montana.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the purpose of this act is to provide for the termination of Federal supervision over the trust and restricted property of certain tribes and bands of Indians located in the State of Utah and the individual members thereof, for the disposition of federally owned property acquired or withdrawn for the administration of the affairs of such Indians, and for a termination of Federal services furnished such Indians because of their status as Indians.

SEC. 2. For the purposes of this act—

(a) "Tribe" means any of the following tribes or bands of Indians located in the State of Utah: Shivwits, Kanosh, Koosharem, and Indian Peaks Bands of the Paiute Indian Tribe, Skull Valley Band of the Shoshone Indian Tribe, and the Washakie Band of the Northwestern Band of Shoshone Indians.

(b) "Secretary" means the Secretary of the Interior.

(c) "Lands" mean real property, interests therein, or improvements thereon, and include water rights.

(d) "Individual Indian" means any individual Indian whose name appears on the final roll prepared pursuant to section 3 of this act.

(e) "Tribal property" means any real or personal property, including water rights, or any interest in real or personal property, that belongs to the tribe and either is held by the United States in trust for the tribe or is subject to a restriction against alienation imposed by the United States.

SEC. 3. Each tribe shall have a period of 6 months from the date of this act in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this act, which shall be published in the Federal Register. If a tribe fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed role for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or an interest in its assets, or a representative of the Secretary on behalf of any such person, may, within 60 days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals by the Secretary, the roll of the tribe shall be published in the Federal Register, and such roll shall be final for the purposes of this act.

SEC. 4. Upon publication in the Federal Register of the final roll as provided in section 3 of this act, the rights or beneficial interests in tribal property of each person whose name appears on the roll shall constitute personal property which may be inherited or bequeathed, but shall not otherwise be subject to alienation or encumbrance before the transfer of title to such tribal property as provided in section 5 of this act without the approval of the Secretary. Any contract made in violation of this section shall be null and void.

SEC. 5. (a) The Secretary shall, within 6 months after the publication of each final membership roll, notify the tribe of the period of time during which the tribe may study means of disposition of tribal property, real and personal, under supervision of the United States. Such period shall not be less than 3 months and not more than 2 years, including any authorized extension of the original periods. The Secretary is authorized to provide such reasonable assistance as may be requested by the tribe in the formulation of a plan for the disposition or future control and management of the property, including necessary consultations with representatives of Federal departments and agencies, officials of the State of Utah and political subdivisions thereof, and members of the tribe. During such period, the tribe may elect—

(1) to apply to the Secretary for the transfer to a corporation or other legal entity organized by the tribe in a form satisfactory to the Secretary of title to all or any part of the tribal property, and the Secretary is authorized to make such transfer: *Provided,* That the Secretary of the Interior shall not approve any form of organization that provides for the transfer of stock or an undivided share in corporate assets as compensation for services of agents or attorneys unless such transfer is based upon an appraisal of tribal assets that is satisfactory to the Secretary;

(2) to apply to the Secretary for the transfer to one or more trustees designated by the tribe of title to all or any part of the tribal property, real and personal, the title to be held by such trustee for management or liquidation purposes under terms and conditions prescribed by the tribe, and the Secretary is authorized to make such transfer if he approves the trustees and the terms and conditions of the trust;

(3) to apply to the Secretary for the sale of all or any part of the tribal property, and for the pro rata distribution among the members of the tribe of all or any part of the proceeds of sale or of any other tribal funds, and the Secretary is authorized and directed to sell such property upon such terms and conditions as he deems proper and to make such distribution among the members of the tribe after deducting, in his discretion, reasonable costs of sale and distribution; and

(4) to apply to the Secretary for a division of all or any part of the tribal land into parcels for members and for public purposes, together with a general plan for the subdivision showing the approximate size, location, and number of parcels, and the Secretary is authorized to issue patents for that purpose.

(b) Title to any tribal property that is not transferred in accordance with the provisions of subsection (a) of this section shall be transferred by the Secretary either to all members of the tribe as tenants in common or to one or more trustees designated by him for the liquidation and distribution of assets among the members of the tribe under such terms and conditions as the Secretary may prescribe: *Provided,* That the trust agreement shall provide for the termination of the trust not more than 3 years from the date of such transfer unless the term of the trust is extended by order of a judge of a court of record designated in the trust agreement.

(c) When approving or disapproving the selection of trustees in accordance with the provisions of subsection (a) of this section, and when designating trustees pursuant to subsection (b) of this section, the Secretary shall give due regard to the laws of the State of Utah that relate to the selection of trustees: *Provided further,* That the trust agreement shall provide that at any time before the sale of tribal property by the trustees the tribe may notify the trustees that it elects to retain such property and to transfer title thereto to a corporation, other legal entity, or trustee in accordance with the provisions of paragraphs (1) and (2) of subsection (a) of this section, and that the trustees shall transfer title to such property in accordance with the notice from the tribe if it is approved by the Secretary.

(d) Notwithstanding any other provision of this section, the Secretary is directed to reserve subsurface rights in tribal property from any sale or division of such property, and to require any trustee or trustees to whom title to tribal property is transferred to retain title to the subsurface rights in such property for not less than 10 years.

SEC. 6. (a) The Secretary is authorized and directed to transfer within 2 years after the date of this act to each member of each tribe unrestricted control of funds or other personal property held in trust for such member by the United States.

(b) All restrictions on the sale or encumbrance of trust or restricted land owned by members of the tribe (including allottees, heirs, and devisees, either adult or minor) are hereby removed 2 years after the date of this act, and the patents or deeds under which titles are then held shall pass the titles in fee simple, subject to any valid encumbrance: *Provided,* That the provisions of this subsection shall not apply to subsurface rights in such lands, and the Secretary is directed to transfer such subsurface rights to one or more trustees designated by him for management for a period not less than 10 years. The title to all interests in trust or restricted land acquired by members of the tribe by devise or inheritance 2 years or more after the date of this act shall vest in such members in fee simple, subject to any valid encumbrance.

(c) Prior to the time provided in subsection (b) of this section for the removal of restrictions on land owned by more than one member of a tribe, the Secretary may—

(1) upon request of any of the owners, partition the land and issue to each owner a patent or deed for his individual share that shall become unrestricted 2 years from the date of this act;

(2) upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof and distribute the proceeds of sale to the owners: *Provided,* That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and

(3) if the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safekeeping.

SEC. 7. (a) The act of June 25, 1910 (36 Stat. 855), the act of February 14, 1913 (37 Stat. 678), and other acts amendatory thereto shall not apply to the probate of the trust and restricted property of the members of a tribe who die 6 months or more after the date of this act.

(b) The laws of the several States, Territories, possessions, and the District of Columbia with respect to the probate of wills, the determination of heirs, and the administration of decedents' estates shall apply to the individual property of members of the tribe who die 6 months after the date of this act.

SEC. 8. The Secretary is authorized, in his discretion, to transfer to a tribe or any member or group of members thereof any federally owned property acquired, withdrawn, or used for the administration of the affairs of the tribe which he deems necessary for Indian use, or to transfer to a public or nonprofit body any such property which he deems necessary to public use

and from which members of the tribes will derive benefit.

SEC. 9. No property distributed under the provisions of this act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided,* That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

SEC. 10. Nothing contained in this act shall deprive any Indian tribe, band, or other identifiable group of American Indians of any right, privilege, or benefit granted by the Indian Claims Commission Act of August 13, 1946 (ch. 959, 60 Stat. 1049), including the right to pursue claims against the United States as authorized by said act.

SEC. 11. Nothing in this act shall abrogate any valid lease, permit, license, right-of-way lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such angency and may transfer such function, in whole or in part, to a State agency with the consent of such agency and the other party or parties to such instrument.

SEC. 12. Nothing in this act shall abrogate any water rights of a tribe or its members.

SEC. 13. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this act, the Secretary shall protect the rights of members of a tribe who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs by causing the appointment of guardians in courts of competent jurisdiction, or by such other means as he may deem adequate.

SEC. 14. Pending the completion of the property dispositions provided for in this act, the funds now on deposit, or hereafter deposited, in the United States Treasury to the credit of the tribe shall be available for advance to the tribe, or for expenditure, for such purposes as may be designated by the governing body of the tribe and approved by the Secretary.

SEC. 15. The Secretary shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this act, or to establish a marketable and recordable title to any property disposed of pursuant to this act.

SEC. 16. The Secretary is authorized and directed to cancel any indebtedness payable to the United States by the tribe arising out of any loan made by the United States to such tribe, and any indebtedness, whether payable to the United States or to the tribe, arising out of a loan made from the proceeds thereof to an individual Indian.

SEC. 17 (a) Upon removal of Federal restrictions on the property of each tribe and individual members thereof, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to the affairs of the tribe and its members has terminated. Thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

(b) Nothing in this act shall affect the status of the members of the tribe as citizens of the United States, or shall affect their rights, privileges, immunities, and obligations as such citizens.

SEC. 18. (a) Effective on the date of the proclamation provided for in section 17 of this act, the corporate charter issued pursuant to the act of June 18, 1934 (48 Stat. 984), as amended, to the Kanosh Band of Paiute Indians of the Kanosh Reservation, Utah, and ratified by the band on August 15, 1943, and to the Shivwits Band of Paiute Indians of the Shivwits Reservation, Utah, and ratified by the band on August 30, 1941, are hereby revoked.

(b) Effective on the date of the proclamation provided for in section 17 of this act, all powers of the Secretary or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of this act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this act without the participation of the Secretary or other officer of the United States.

SEC. 19. The Secretary is authorized to issue rules and regulations necessary to effectuate the purposes of this act, and may in his discretion provide for tribal referenda on matters pertaining to management or disposition of tribal assets.

SEC. 20. All acts or parts of acts inconsistent with this act are hereby repealed insofar as they affect the tribe or its members. The act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (49 Stat. 378), shall not apply to the tribe and its members after the date of the proclamation provided for in section 17 of this act.

SEC. 21. If any provision of this act, or the application thereof, to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

SEC. 22. (a) Not later than 2 years after the date of this act, the management and operation of irrigation works for Indian lands of the tribe by the Bureau of Indian Affairs shall be discontinued. Upon such discontinuance, the Secretary shall cancel the unpaid irrigation operation and maintenance assessments and reimbursable irrigation construction charges against such lands.

(b) The Secretary may transfer the title to such irrigation works to water users, water user's associations organized for such purpose, or to corporations organized, or trustees designated, as provided in section 5.

SEC. 23. Prior to the issuance of a proclamation in accordance with the provisions of section 17 of this act, the Secretary is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

With the following committee amendment:

Page 2, strike all of lines 5, 6, and 7, and insert in lieu thereof the word "Tribe."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN HOUSING UNITS

The Clerk called the bill (H. R. 8783) to provide for the conveyance of certain housing units owned by the United States to the Housing Authority of St. Louis County, Mo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Housing and Home Finance Administrator is authorized and directed to convey, to the Housing Authority of St. Louis County, Mo., all of the right, title, and interest of the United States in and to the 156 housing units in Public Housing Project No. MO-V-23153.

With the following committee amendments:

After the word "That" insert a comma and the following: "notwithstanding the provisions of subdivision (2) of subsection 601 (b) of the act entitled 'An act to expedite the provision of housing in connection with national defense, and for other purposes,' approved October 14, 1940, as amended."

After the word "convey", insert the following: ", without monetary consideration."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ACCEPTANCE OF CONDITIONAL GIFTS TO FURTHER THE DEFENSE EFFORT

The Clerk called the bill (S. 3197) to authorize the acceptance of conditional gifts to further the defense effort.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That to further the defense effort of the United States—

(a) the Secretary of the Treasury is authorized to accept or reject on behalf of the United States any gift of money or other intangible personal property made on condition that it be used for a particular defense purpose; and

(b) the Administrator of General Services is authorized to accept or reject on behalf of the United States any gift of other property, real or personal, made on condition that it be used for a partciular defense purpose.

SEC. 2. The Secretary of the Treasury may convert into money, at the best terms available, any such gift of intangible property other than money; and the Administrator of General Services may convert into money, at the best terms available, any such gift of tangible property, or transfer to any other Federal agency without reimbursement such property as he may determine usable for the particular purpose for which it was donated.

SEC. 3. There shall be established on the books of the Treasury a special account into

which shall be deposited all money received as a result of such gifts.

SEC. 4. The Secretary of the Treasury, in order to effectuate the purposes for which gifts accepted under this act are made, shall from time to time pay the money in such special account to such of the various appropriation accounts as in his judgment will best effectuate the intent of the donors, and such money is hereby appropriated and shall be available for expenditure for the purposes of the appropriations to which paid.

SEC. 5. The Secretary of the Treasury and the Administrator of General Services shall consult with interested Federal agencies in carrying out the provisions of this act.

SEC. 6. Nothing in this act shall be construed to modify or repeal the authority to accept conditional gifts under any other provision of law.

With the following committee amendment:

Correct the spelling of the word "particular" as it appears on page 2, line 1.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PREPARATION OF ROLLS OF PERSONS OF INDIAN BLOOD, ETC.

The Clerk called the bill (H. R. 4118) to authorize the preparation of rolls of persons of Indian blood whose ancestors were members of certain tribes or bands in the State of Oregon, and to provide for per capita distribution of funds arising from certain judgments in favor of such tribes or bands.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior, hereafter referred to as the "Secretary," is hereby authorized and directed to prepare separate rolls of the Indians of the blood of the Confederated Bands of Umpqua and Calapoolas of the Umpqua Valley, and of the Tillamook, Coquille, Tootootoney, Chetco, and Mollallas or Molel Tribes of Oregon, living on the date of this act. Applications for enrollment shall be filed within such times as may be prescribed by the Secretary, and his determination of eligibility for enrollment shall be final and conclusive. No person shall be entitled to be enrolled on more than one roll.

SEC. 2. The Secretary is authorized and directed to withdraw the funds on deposit in the Treasury of the United States to the credit of the respective tribes or bands, including those funds appropriated by Public Law 253 (82d Cong.) approved November 1, 1951, in satisfaction of judgments obtained by the tribes or bands in the cases of *Alcea Band of Tillamook, et al.,* v. *United States* (115 Ct. Cl. 463), and *Rogue River Tribes of Indians et al.,* v. *United States* (116 Ct. Cl. 454), and to make appropriate and equitable per capita payments therefrom to each person whose name appears on said approved rolls.

SEC. 3. (a) The share of a deceased enrollee shall be distributed to his heirs or devisees determined by the laws of the domicile of said decedent, and each share shall be treated for the purpose of distribution as personal property owned by the decedent at the time of his death. Payment to the heirs or devisees of any deceased enrollee shall be made upon proof of death and of heirship satisfactory to the Secretary, and his findings upon such proof shall be final and conclusive.

(b) Payment shall be made directly to the enrollee or his heirs or devisees, except that payments due persons under 21 years of age or persons under legal disability shall be made under such rules and regulations as the Secretary may prescribe. No part of any payment shall be subject to any debt or debts created prior to the date of this act by a beneficiary of Indian blood. Payment to enrollees, heirs, or devisees shall be completed within 1 year after establishment of the tribal rolls.

SEC. 4. All costs incurred by the Secretary in the preparation of such rolls and the payment of such per capita shares shall be paid by appropriate withdrawals out of the fund or funds on deposit in the Treasury of the United States arising out of such judgments.

SEC. 5. The Secretary is authorized to prescribe the necessary rules and regulations to carry out the purposes of this act.

With the following committee amendments:

Page 2, lines 1 through 4, delete the sentence beginning with the word "Applications" and ending with the word "conclusive" and insert in lieu thereof the following language: "Applications for enrollment shall be filed within 1 year of the date of approval of this act. The determination of the Secretary of the eligibility of an applicant for enrollment shall be final and conclusive."

Page 2, line 17, change the period to a colon and add the following language: *"Provided,* That any amounts paid to or for individual members, or distributed to or for the legatees or next of kin of any enrollee, as provided in this act, shall not be subject to Federal tax."

Page 2, line 18, strike all of section 3 through page 3, line 9, and insert in lieu thereof the following new language:

"SEC. 3. (a) The Secretary shall make payments directly to a living enrollee. The Secretary shall distribute the share of a person determined to be eligible for enrollment, but who dies subsequent to the date of approval of this act and on whose behalf an application is filed and approved, and the share of a deceased enrollee, directly to his next of kin or legatees as determined by the laws of the domicile of the decedent, upon proof of death and inheritance satisfactory to the Secretary, whose findings upon such proof shall be final and conclusive.

"(b) Payments due persons under 21 years of age or persons under legal disability shall be made in accordance with laws applicable to such persons in the State of domicile of the payee. The Secretary may apply to any court of competent jurisdiction for the appointment of a guardian to receive and administer payments due a person under 21 years of age or under legal disability, and may take such other action as he deems appropriate for the protection of the interests of any such person in connection with payments hereunder.

"(c) No part of any payment hereunder shall be subject to any debt or debts created prior to the date of this act by a beneficiary of Indian blood. Payment to living enrollees, unless under 21 years of age or under legal disability, shall be completed within 1 year after approval of the tribal rolls. Payment to next of kin and legatees, and payment for the account of persons under 21 years of age or under legal disability shall be completed within the same period of time to the maximum extent possible."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DESIGNATING NATIONAL NURSE WEEK

The Clerk called the resolution (H. J. Res. 359) designating the first full week in October 1954 as National Nurse Week and providing for the establishment of a Central Council to coordinate the observance of such week.

There being no objection, the Clerk read the resolution, as follows:

Whereas the nursing profession plays a vital role in the health care of the Nation; and

Whereas a continued renewal and extension of its ranks through the attraction of young people to the profession is of the first importance to the Nation's future health and welfare; and

Whereas there are many problems facing the nursing profession which can only be solved through the aid of an informed and sympathetic public; and

Whereas it is proper and fitting that national attention and recognition should be focused on the great contributions, past and present, that the nursing profession in all its branches has made to the national welfare and security: Therefore be it

Resolved, etc., That the period begining October 4, 1954, and ending October 9, 1954, is hereby designated as National Nurse Week, in honor of the professional nurses of America and in recognition of the vitally important service they have faithfully rendered in the promotion of the national health and welfare. The President is authorized and requested to issue a proclamation calling upon all the people of the United States to cooperate in the observance of such week, under the guidance of the Central Council created pursuant to section 2, with appropriate proceedings and ceremonies designed to emphasize the significant role of professional nurses in the advancement of human welfare and to encourage increasing support of the nursing profession.

SEC. 2. (a) The Secretary of Health, Education, and Welfare shall appoint and serve as the Chairman of a Central Council, whose duty it shall be to coordinate and supervise the nationwide observance of National Nurse Week. The Central Council shall—

(1) develop a plan of action for the observance of such week, providing in the case of each participating group for appropriate activities at the national, regional, and local levels;

(2) prepare a program for the promotion and publicizing of such week through national newspaper, magazine, radio, and television coverage, and make all necessary arrangements with respect to the timing and substance of the material to be presented in connection with such program; and

(3) prepare outlines of suggested local activities for the celebration of such week, designed to stimulate and facilitate local planning.

(b) The persons appointed as members of the Central Council shall be selected so as to provide adequate representation for the Executive Office of the President, the Congress of the United States, the surgeons general of the Armed Forces, the Advertising Council, the American Medical Association, the American Hospital Association, and the various national nursing organizations.

(c) In carrying out its functions under this section, the Central Council shall utilize clerical personnel, facilities, information, and other necessary assistance made available to it by the groups and organizations represented on the Council.

With the following committee amendments:

On page 2, lines 3 and 4, strike out "October 4, 1954, and ending October 9, 1954,"

and insert in lieu thereof "October 11, 1954, and ending October 16, 1954."

On page 2, line 10, substitute a period for the comma following the word "week" and strike out all of the joint resolution thereafter beginning with the word "under" in line 10, page 2, and ending with the word "Council", line 19, page 3.

The committee amendments were agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "Joint resolution designating the period from October 11 to October 16, inclusive, of 1954, as National Nurse Week."

A motion to reconsider was laid on the table.

PERMITTING CITY OF PHILADELPHIA TO FURTHER DEVELOP HOG ISLAND TRACT

The Clerk called the bill (H. R. 9577) to permit the city of Philadelphia to further develop the Hog Island tract as an air, rail, and marine terminal by directing the Secretary of Commerce to release the city of Philadelphia from the fulfillment of certain conditions contained in the existing deed which restrict further development.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Commerce is authorized and directed to release the city of Philadelphia from the fulfillment of any and all conditions of a deed of the United States, acting through the United States Shipping Board, dated the 23d day of July 1930, relating to a tract of land, known as Hog Island, situate partly in the township of Tinicum in the county of Delaware and State of Pennsylvania and partly in the 40th ward of the city of Philadelphia, comprising 951 acres more or less; and to execute in proper form a full and complete release and discharge of the yearly ground rent reserved to the United States under and pursuant to said deed, and relieving the city of Philadelphia from the fulfillment of any and all covenants, conditions, and trusts set forth in said deed.

SEC. 2. The execution of the aforesaid release shall be made without consideration therefor and upon condition that the aforesaid tract shall be held, used, and developed as and for an air, rail, and marine terminal for the promotion and furtherance of the interstate and foreign commerce of the United States, and for industrial purposes related thereto: *Provided further*, That the premises shall not be disposed of by the city of Philadelphia by conveyance or sale except in furtherance of the public purposes herein set forth. The release shall contain a further provision that whenever the Congress of the United States shall declare a state of war or other national emergency the United States shall have the right to enter upon the premises and use the same or any part thereof owned by the city of Philadelphia for a period not to exceed the duration of such state of war or national emergency plus 6 months, and upon cessation of such use said premises shall revert to the city of Philadelphia: *Provided, however*, That the United States shall be responsible during the period of such use for the maintenance of all of the property so used, and shall pay a fair rental for the use of any structures or other improvements which have been added thereto, said rental to include all debt service charges or other obligations arising out of the financing of all structures or improvements on the aforesaid premises.

With the following committee amendments:

Page 1, line 5, strike out "of" where it first appears, and insert in lieu thereof "for the benefit of the United States set forth in."

Page 2, line 8, after "trusts" insert "for the benefit of the United States."

Mr. CUNNINGHAM. Mr. Speaker, the bill S. 3630 is an identical bill which passed the Senate on July 17. I therefore ask unanimous consent to substitute the Senate bill in lieu of the House bill.

Mr. WALTER. Mr. Speaker, reserving the right to object, and I shall not, is it not a fact that the city of Philadelphia has paid the entire amount agreed upon for this tract of land by way of payments and interest throughout the years?

Mr. SCOTT. Mr. Speaker, if the gentleman will yield, I can say that as for the city of Philadelphia, it has more than paid the sum agreed on. The city finds itself unable to expand its harbor facilities either in Pennsylvania, Delaware, or south Jersey, until this ground rent is extinguished.

Mr. WALTER. This is part of the program of the mayor of the city of Philadelphia for the expansion of the port of Philadelphia and the Delaware Valley.

Mr. SCOTT. It is part of the program of the chamber of commerce, the mayor, and the legislative delegation here in Congress. I know of no objection to it. I may say also that the Secretary of Commerce has approved it.

Mr. WALTER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the Senate bill?

There was no objection.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider, and a similar House bill, H. R. 9577, were laid on the table.

AMENDING SECTION 87 OF NATIONAL DEFENSE ACT OF 1916

The Clerk called the bill (H. R. 6223) to amend section 87 of the National Defense Act of June 3, 1916, as amended (32 U. S. C. 47), to relieve the States from pecuniary liability for property lost, damaged, or destroyed through unavoidable causes and to authorize the States to be relieved from accountability in any case except where it shall appear that the loss, damage, or destruction of the property was due to carelessness or negligence or could have been avoided by the exercise of reasonable care.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 87 of the National Defense Act of June 3, 1916, as amended (32 U. S. C. 47), is amended to read as follows:

"DISPOSITION AND REPLACEMENT OF DAMAGED PROPERTY, AND SO FORTH

"SEC. 87. All military property issued to the National Guard and Air National Guard as herein provided shall remain the property of the United States. Whenever any such property issued to the National Guard or Air National Guard in any State or Territory, or the District of Columbia shall have been lost, damaged, or destroyed, or become unserviceable or unsuitable by use in service or from any other cause, it shall be examined by a disinterested surveying officer of the Army of the United States, Air Force of the United States, or the National Guard or Air National Guard detailed by the appropriate Secretary, and the report of such surveying officer shall be forwarded to the appropriate Secretary or to such officer as he shall designate to receive such reports. The appropriate Secretary is hereby authorized to relieve the State, or Territory, or the District of Columbia from further accountability for such property in any case except where it shall appear that the loss, damage, or destruction of property was due to carelessness or neglect, or that its loss, damage, or destruction could have been avoided by the exercise of reasonable care, in which case the money value of such property shall be charged to the accountable State, Territory, or District of Columbia to be paid from State, Territory, or District funds, or any funds other than Federal. If the articles so surveyed are found to be unserviceable or unsuitable, the appropriate Secretary shall direct what dispositon by sale or otherwise shall be made of them; and, if sold, the proceeds of such sale, as well as stoppages against officers and enlisted men, and the net proceeds of collections made from any person or from any State, Territory, or District to reimburse the Government for the loss, damage, or destruction of any property, shall be deposited in the Treasury of the United States: *Provided*, That if any State, Territory, or the District of Columbia shall neglect or refuse to pay, or to cause to be paid, the money equivalent of any loss, damage, or destruction of property charged against such State, Territory, or the District of Columbia by the appropriate Secretary after survey by a disinterested officer appointed as hereinbefore provided, the appropriate Secretary is hereby authorized to debar such State, Territory, or the District of Columbia from further participation in any and all appropriations for the National Guard or Air National Guard, as appropriate, until such payment shall have been made: *Provided further*, That property issued to the National Guard and Air National Guard and which has become unserviceable through fair wear and tear in service, may, after inspection thereof and finding to that effect made by an officer of the Army of the United States, Air Force of the United States, or the National Guard or Air National Guard detailed by the appropriate Secretary, be sold or otherwise disposed of, and the State, Territory, or the District of Columbia accountable shall be relieved from further accountability therefor; such inspection, and sale or other disposition, to be made under regulations prescribed by the appropriate Secretary, and to constitute as to such property a discretional substitute for the examination, report, and disposition provided for elsewhere in this section."

With the following committee amendments:

Page 2, line 7, insert a comma after the word "State", delete the first "or", and immediately following the word "Territory", insert the following: ", the Commonwealth of Puerto Rico."

Page 2, lines 11 and 12, delete "Army of the United States, Air Force of the United States" and insert in lieu thereof "United States Army, United States Air Force."

Page 2, line 16, following the word "Secretary", insert "or his designated representative."

Page 2, line 17, insert a comma after the word "State", delete the word "or", and immediately following the word, "Territory" insert the following: ", Commonwealth of Puerto Rico."

Page 2, line 18, following the word "accountability", add "and pecuniary liability."

Page 2, line 24, following "Territory," add "Commonwealth of Puerto Rico."

Page 2, line 25, following "Territory," add "Commonwealth."

Page 3, line 2, following "Secretary", add "or his designated representative."

Page 3, line 7, following "Territory," add "the Commonwealth of Puerto Rico", following "or" add the word "the", and following "District" add the words "of Columbia."

Page 3, line 10, following "Territory," add "the Commonwealth of Puerto Rico."

Page 3, line 13, following "Territory," add "the Commonwealth of Puerto Rico."

Page 3, line 17, following "Territory," add "the Commonwealth of Puerto Rico."

Page 4, line 3, following "Territory," add "Commonwealth of Puerto Rico,."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend section 87 of the National Defense Act of June 3, 1916, as amended (32 U. S. C. 47), to relieve the States from accountability and pecuniary liability for property lost, damaged, or destroyed except in cases where it shall appear that the loss, damage, or destruction of the property was due to carelessness or negligence or could have been avoided by the exercise of reasonable care."

A motion to reconsider was laid on the table.

AMEND THE NATIONAL DEFENSE ACT

The Clerk called the bill (H. R. 7734) to amend section 47 of the National Defense Act to relieve State-operated educational institutions, under stated conditions, from giving bond for certain property issued by the United States for use by Reserve Officers' Training Corps units maintained at such institutions.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That section 47 of the National Defense Act, as amended (10 U. S. C. 389), is amended by adding at the end thereof the following new sentence: "No such bond shall be required of any institution operated by any State so long as that institution provides such measures for the care and safekeeping of nonexpendable property as the Secretary of the Army, or the Secretary of the Air Force in the case of property issued by the Department of the Air Force, shall determine as a result of periodic inspection to be adequate to protect the interest of the United States therein."

With the following committee amendment:

Strike all after the enacting clause and insert the following: "That section 47 of the National Defense Act, as amended (10 U. S. C. 389), is further amended by deleting the last sentence thereof and substituting in lieu thereof the following:

" 'The Secretary of the Army, or the Secretary of the Air Force in the case of property of the Department of the Air Force, shall require a bond or other indemnity in such amount as he considers appropriate for the care and safekeeping of all such Government property issued to an educational institution, except uniforms, expendable articles, and supplies expended in operation, maintenance, and instruction.' "

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend section 47 of the National Defense Act concerning the requirement for bond covering certain property issued by the United States for use by Reserve Officers' Training Corps units maintained at educational institutions."

A motion to reconsider was laid on the table.

TRANSFER OF LAND IN SALT LAKE CITY

The Clerk called the bill (H. R. 9482) authorizing the Administrator of Veterans' Affairs to convey certain property to the Armory Board, State of Utah.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, the bill, S. 3561, is an identical bill to the House bill and I ask unanimous consent that it be considered in lieu of the House bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to convey, without monetary consideration and subject to the conditions in section 2 of this act, to the Armory Board, State of Utah, all right, title, and interest of the United States in and to a tract of 35 acres of land, more or less, situated in the western end of the Veterans' Administration hospital reservation, Fort Douglas Station, Salt Lake City, Utah, the exact legal description of which shall be determined by the Administrator of Veterans' Affairs.

SEC. 2. The deed of conveyance authorized under the provisions of this act shall—

(a) provide that such tract shall not be alienated in the whole or in part by the Armory Board and shall be used only for training, civic, and related purposes;

(b) provide that, if such tract is so used in any manner that, in the judgment of the Administrator of Veterans' Affairs or his designate, interferes with the care and treatment of patients in the Veterans' Administration hospital located on land contiguous to such tract, such interference shall cease immediately upon notice thereof to the Armory Board by the Administrator or his designate;

(c) provide that, if either of the conditions prescribed in clauses (a) and (b) of this section are violated, title to such tract shall revert to the United States; and

(d) shall reserve all mineral rights, including gas and oil, to the United States, and contain such additional terms, conditions, reservations, and restrictions as may be determined by the Administrator of Veterans' Affairs to be necessary to protect the interests of the United States.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar bill (H. R. 9482) was laid on the table.

A motion to reconsider was laid on the table.

SOUTHEASTERN INTERSTATE FOREST FIRE PROTECTION COMPACT

The Clerk called the bill (H. R. 9345) granting the consent and approval of Congress to the Southeastern Interstate Forest Fire Protection Compact.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, the bill, S. 2786, is an identical bill and I ask unanimous consent that it be considered in lieu of the House bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the consent and approval of Congress is hereby given to the Southeastern Interstate Forest Fire Protection Compact, as hereinafter set out. Such compact reads as follows:

SOUTHEASTERN INTERSTATE FOREST FIRE PROTECTION COMPACT

Article I

The purpose of this compact is to promote effective prevention and control of forest fires in the Southeastern region of the United States by the development of integrated forest fire plans, by the maintenance of adequate forest fire fighting services by the member States, by providing for mutual aid in fighting forest fires among the compacting States of the region and with States which are party to other regional forest fire protection compacts or agreements, and for more adequate forest protection.

Article II

This compact shall become operative immediately as to those States ratifying it whenever any two or more of the States of Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and West Virginia, which are contiguous have ratified it and Congress has given consent thereto. Any State not mentioned in this article which is contiguous with any member State may become a party to this compact, subject to approval by the legislature of each of the member States.

Article III

In each State, the State forester or officer holding the equivalent position who is responsible for forest fire control shall act as compact administrator for that State and shall consult with like officials of the other member States and shall implement cooperation between such States in forest fire prevention and control.

The compact administrators of the member States shall coordinate the services of the member States and provide administrative integration in carrying out the purposes of this compact.

There shall be established an advisory committee of legislators, forestry commission representatives, and forestry or forest products industries representatives which shall meet from time to time with the compact administrators. Each member State shall name 1 Member of the Senate and 1 Member of the House of Representatives who shall be designated by that State's commission on interstate cooperation, or if said commission cannot constitutionally designate the said members, they shall be designated in accordance with laws of that State; and the governor of each member State shall appoint 2 representatives, 1 of whom shall be associated with forestry or forest products industries to comprise the membership of the advisory committee. Ac-

tion shall be taken by a majority of the compacting States, and each State shall be entitled to one vote.

The compact administrators shall formulate and, in accordance with need, from time to time, revise a regional forest fire plan for the member States.

It shall be the duty of each member State to formulate and put in effect a forest fire plan for that State and take such measures as may be necessary to integrate such forest fire plan with the regional forest fire plan formulated by the compact administrators.

Article IV

Whenever the State forest fire control agency of a member State requests aid from the State forest fire control agency of any other member State in combating, controlling, or preventing forest fires, it shall be the duty of the State forest fire control agency of that State to render all possible aid to the requesting agency which is consonant with the maintenance of protection at home.

Article V

Whenever the forces of any member State are rendering outside aid pursuant to the request of another member State under this compact, the employees of such State shall, under the direction of the officers of the State to which they are rendering aid, have the same powers (except the power of arrest), duties, rights, privileges, and immunities as comparable employees of the State to which they are rendering aid.

No member State or its officers or employees rendering outside aid pursuant to this compact shall be liable on account of any act or omission on the part of such forces while so engaged, or on account of the maintenance, or use of any equipment or supplies in connection therewith; *Provided*, that nothing herein shall be construed as relieving any person from liability for his own negligent act or omission, or as imposing liability for such negligent act or omission upon any State.

All liability, except as otherwise provided hereinafter, that may arise either under the laws of the requesting State or under the laws of the aiding State or under the laws of a third State on account of or in connection with a request for aid, shall be assumed and borne by the requesting State.

Any member State rendering outside aid pursuant to this compact shall be reimbursed by the member State receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost of all materials, transportation, wages, salaries, and subsistence of employees and maintenance of equipment incurred in connection with such request: Provided, that nothing herein contained shall prevent any assisting member State from assuming such loss, damage, expense or other cost or from loaning such equipment or from donating such service to the receiving member State without charge or cost.

Each member State shall provide for the payment of compensation and death benefits to injured employees and the representatives of deceased employees in case employees sustain injuries or are killed while rendering outside aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within such State.

For the purposes of this compact the term employee shall include any volunteer or auxiliary legally included within the forest fire-fighting forces of the aiding State under the laws thereof.

The compact administrators shall formulate procedures for claims and reimbursement under the provisions of this article, in accordance with the laws of the member States.

Article VI

Ratification of this compact shall not be construed to affect any existing statute so as to authorize or permit curtailment or diminution of the forest fire-fighting forces, equipment, services or facilities of any member State.

Nothing in this compact shall be construed to limit or restrict the powers of any State ratifying the same to provide for the prevention, control and extinguishment of forest fires, or to prohibit the enactment or enforcement of State laws, rules or regulations intended to aid in such prevention, control and extinguishment in such State.

Nothing in this compact shall be construed to affect any existing or future cooperative relationship or arrangement between any Federal agency and a member State or States.

Article VII

The compact administrators may request the United States Forest Service to act as a research and coordinating agency of the Southeastern Interstate Forest Fire Protection Compact in cooperation with the appropriate agencies in each State, and the United States Forest Service may accept responsibility for preparing and presenting to the compact administrators its recommendations with respect to the regional fire plan. Representatives of any Federal agency engaged in forest fire prevention and control may attend meetings of the compact administrators.

Article VIII

The provisions of articles IV and V of this compact which relate to mutual aid in combating, controlling or preventing forest fires shall be operative as between any State party to this compact and any other State which is party to a regional forest fire protection compact in another region: Provided, that the legislature of such other State shall have given its assent to such mutual aid provisions of this compact.

Article IX

This compact shall continue in force and remain binding on each State ratifying it until the legislature or the Governor of such State, as the laws of such State shall provide, takes action to withdraw therefrom. Such action shall not be effective until 6 months after notice thereof has been sent by the chief executive of the State desiring to withdraw to the chief executives of all States then parties to the compact.

SEC. 2. Without further submission of the compact, the consent of Congress is given to any State to become a party to it is accordance with its terms.

SEC. 3. The right to alter, amend, or repeal this act is expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar bill (H. R. 9345) was laid on the table.

A motion to reconsider was laid on the table.

CONTRACT RESEARCH

The Clerk called the bill (S. 2367) to amend the act of June 29, 1935 (the Bankhead-Jones Act), as amended, to strengthen the conduct of research of the Department of Agriculture.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the act of June 29, 1935 (the Bankhead-Jones Act), as amended (7. U. S. C. 427–427j), is amended by adding at the end of section 10 thereof the following:

"(e) Appropriations for research work in the Department of Agriculture shall be available for accomplishing such purposes by contract through the means provided in subsection (a) hereof."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING BANKS FOR COOPERATIVES TO ISSUE CONSOLIDATED DEBENTURES

The Clerk called the bill (S. 3487) to authorize the Central Bank for Cooperatives and the regional banks for cooperatives to issue consolidated debentures, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, this seems to be a rather broad bill, if not a rather far-reaching bill, and I would like to have a member of the committee state why it should be passed by unanimous consent. It seems to me this is a bill that should come up under the regular rules of the House or under suspension of the rules.

Mr. HOPE. Mr. Speaker, I shall be very glad to explain the bill.

Mr. McCORMACK. I know what the bill is. I have read it, but it seems to me this is not a bill that should be passed without some debate. I have no objection to the bill myself; however, some bills should come up under conditions where there is opportunity for Members to debate the matter. Will the gentleman state why he thinks this is not one of those bills?

Mr. HOPE. I am not going to argue with the gentleman over the question of whether this is or is not an important bill. It is a bill of some importance as far as financing the banks for cooperatives is concerned. It is a bill which I understand has no opposition, at least I know of none and in the closing days of the session our committee felt it was important to get the bill passed as expeditiously as possible. For that reason we had it put on the Consent Calendar.

Mr. JOHNSON of Wisconsin. I have spoken to the chairman of the committee, the gentleman from Kansas [Mr. HOPE], and I am sure that this bill is satisfactory.

Mr. McCORMACK. I have no objection to the bill myself. Is it not of such importance that it should come up under the rules of the House which afford Members some opportunity of debate rather than to be passed on the Consent Calendar?

Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ROTATION OF COMMODITY CREDIT CORPORATION STOCKS

The Clerk called the bill (S. 1381) to amend the Agricultural Act of 1949.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 407 of the Agricultural Act of 1949, as amended, is amended by adding at the end thereof the following: "Nor shall the foregoing restrictions apply to sales of commodities the disposition of which is desirable in the interest of the effective and efficient conduct of the Corporation's operations because of the small quantities involved, or because of age, location, or questionable continued storability, but such sales shall be offset by such purchases of commodities as the Corporation determines are necessary to prevent such sales from substantially impairing any price-support program, but in no event shall the purchase price exceed the then current support price for such commodities."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INDEMNITIES FOR SWINE DESTROYED IN 1952

The Clerk called the bill (S. 2583) to indemnify against loss all persons whose swine were destroyed in July 1952 as a result of having been infected with or exposed to the contagious disease vesicular exanthema.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to indemnify in an amount equal to 50 percent of their loss, but not exceeding the indemnity paid by the State, all persons whose swine were destroyed under authority of law in July 1952 as a result of having been infected with or exposed to the contagious disease vesicular exanthema.

SEC. 2. The payment of indemnities under the provisions of this act shall be limited, in the absence of Federal appraisal, to those losses where required proof of such losses has been made to the State and 50 percent of said loss has been paid by such State.

SEC. 3. Payments made pursuant to the provisions of this act shall be made from funds currently available to the Department of Agriculture.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SOUTH CENTRAL INTERSTATE FOREST FIRE PROTECTION COMPACT

The Clerk called the bill (H. R. 6393) granting the consent and approval of Congress to an interstate forest fire protection compact.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent and approval of Congress is hereby given to any two or more of the States of Arkansas, Louisiana, Mississippi, Oklahoma, and Texas to enter into the following compact relating to the prevention and control of forest fires in the south central region of the United States.

The compact reads as follows:

"SOUTH CENTRAL INTERSTATE FOREST FIRE PROTECTION COMPACT

"Article I

"The purpose of this compact is to promote effective prevention and control of forest fires in the south central region of the United States by the development of integrated forest fire plans, by the maintenance of adequate forest fire fighting services by the member States, by providing for mutual aid in fighting forest fires among the compacting States of the region and with States which are party to other regional forest fire protection compacts or agreements, and for more adequate forest development.

"Article II

"This compact shall become operative immediately as to those States ratifying it whenever any two or more of the States of Arkansas, Louisiana, Mississippi, Oklahoma, and Texas which are contiguous have ratified it and Congress has given consent thereto. Any State not mentioned in this article which is contiguous with any member State may become a party to this compact, subject to approval by the legislature of each of the member States.

"Article III

"In each State, the State forester or officer holding the equivalent position who is responsible for forest fire control shall act as compact administrator for that State and shall consult with like officials of the other member States and shall implement cooperation between such States in forest fire prevention and control.

"The compact administrators of the member States shall organize to coordinate the services of the member States and provide administrative integration in carrying out the purposes of this compact.

"There shall be established an advisory committee of legislators, forestry commission representatives, and forestry or forest products industries representatives which shall meet from time to time with the compact administrators. Each member State shall name one Member of the Senate and one Member of the House of Representatives, and the Governor of each member State shall appoint one representative who shall be the chairman of the State forestry commission or comparable official and one representative who shall be associated with forestry or forest products industries to comprise the membership of the advisory committee. Action shall be taken by a majority of the compacting States, and each State shall be entitled to one vote.

"The compact administrators shall formulate and, in accordance with need, from time to time, revise a regional forest fire plan for the member States.

"It shall be the duty of each member State to formulate and put in effect a forest fire plan for that State and take such measures as may be necessary to integrate such forest fire plan with the regional forest fire plan formulated by the compact administrators.

"Article IV

"Whenever the State forest fire control agency of a member State requests aid from the State forest fire control agency of any other member State in combating, controlling, or preventing forest fires, it shall be the duty of the State forest fire control agency of that State to render all possible aid to the requesting agency which is consonant with the maintenance of protection at home.

"Article V

"Whenever the forces of any member State are rendering outside aid pursuant to the request of another member State under this compact, the employees of such State shall, under the direction of the officers of the State to which they are rendering aid, have the same powers (except the power of arrest), duties, rights, privileges, and immunities as comparable employees of the State to which they are rendering aid.

"No member State or its officers or employees rendering outside aid pursuant to this compact shall be liable on account of any act or omission on the part of such forces while so engaged, or on account of the maintenance or use of any equipment or supplies in connection therewith: *Provided,* That nothing herein shall be construed as relieving any person from liability for his own negligent act or omission, or as imposing liability for such negligent act or omission upon any State.

"All liability, except as otherwise provided hereinafter, that may arise either under the laws of the requesting State or under the laws of the aiding state or under the the laws of a third State on account of or in connection with a request for aid, shall be assumed and borne by the requesting State.

"Any member State rendering outside aid pursuant to this compact shall be reimbursed by the member State receiving such aid for any loss or damage to, or expense incurred in the operation of any equipment answering a request for aid, and for the cost of all materials, transportation, wages, salaries, and maintenance of employees and equipment incurred in connection with such request: *Provided,* That nothing herein contained shall prevent any assisting member State from assuming such loss, damage, expense, or other cost or from loaning such equipment or from donating such service to the receiving member State without charge or cost.

"Each member State shall provide for the payment of compensation and death benefits to injured employees and the representatives of deceased employees in case employees sustain injuries or are killed while rendering outside aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within such state.

"For the purposes of this compact the term employee shall include any volunteer or auxiliary legally included within the forest-fire-fighting forces of the aiding State under the laws thereof.

"The compact administrators shall formulate procedures for claims and reimbursement under the provisions of this article, in accordance with the laws of the member States.

"Article VI

"Ratification of this compact shall not be construed to affect any existing statute so as to authorize or permit curtailment or diminution of the forest-fire-fighting forces, equipment, services, or facilities of any member State.

"Nothing in this compact shall be construed to limit or restrict the powers of any State ratifying the same to provide for the prevention, control, and extinguishment of forest fires, or to prohibit the enactment or enforcement of State laws, rules, or regulations intended to aid in such prevention, control, and extinguishment in such State.

"Nothing in this compact shall be construed to affect any existing or future cooperative relationship or arrangement between the United States Forest Service and a member State or States.

"Article VII

"The compact administrators may request the United States Forest Service to act as the primary research and coordinating agency of the South Central Interstate Forest Fire Protection Compact in cooperation with the appropriate agencies in each State, and the United States Forest Service may accept the initial responsibility in preparing and presenting to the compact administrators its recommendations with respect to the regional fire plan. Representatives of the United States Forest Service may attend meetings of the compact administrators.

"Article VIII

"The provisions of article IV and V of this compact which relate to mutual aid in combating, controlling, or preventing forest fires shall be operative as between any State

party to this compact and any other State which is party to a regional forest-fire protection compact in another region: *Provided*, That the legislature of such other State shall have given its assent to such mutual-aid provisions of this compact.

"Article IX

"This compact shall continue in force and remain binding on each State ratifying it until the legislature or the Governor of such State takes action to withdraw therefrom. Such action shall not be effective until 6 months after notice thereof has been sent by the chief executive of the State desiring to withdraw to the chief executives of all States then parties to the compact."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GOVERNMENTAL USE OF INTERNATIONAL TELECOMMUNICATIONS

The Clerk called the resolution (S. J. Res. 96) to strengthen the foreign relations of the United States by establishing a Commission on Governmental Use of International Telecommunications.

There being no objection, the Clerk read the resolution, as follows:

Whereas the overseas information program as carried on through the media of telecommunications is of continuing and increasing importance in carrying out and supporting the foreign policies of the United States; and

Whereas in his state of the Union message February 2, 1953, the President asserted the necessity "to make more effective all activities related to international information": Therefore be it,

Resolved, etc., That there is hereby established a commission to be known as the Commission on Governmental Use of International Telecommunications (in this act referred to as the "Commission").

MEMBERSHIP OF THE COMMISSION

SEC. 2. Number and appointment: The Commission shall be composed of nine members as follows:

(1) Five appointed by the President of the United States, of whom at least 1 shall be appointed from the telecommunications industry and at least 1 from the field of education and of whom not more than 3 shall be from the same political party;

(2) Two appointed from the Senate by the President of the Senate of whom not more than one shall be from the same political party; and

(3) Two appointed from the House of Representatives by the Speaker of the House of Representatives of whom not more than one shall be from the same political party.

ORGANIZATION OF THE COMMISSION

SEC. 3. The Commission shall choose its Chairman and Vice Chairman from among its members and shall establish its own procedure.

QUORUM

SEC. 4. Five members of the Commission shall constitute a quorum.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 5. (a) Members of Congress: Members of Congress who are members of the Commission shall serve without compensation in addition to that received for their services as Members of Congress; but without regard to any other provision of law they shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission and reasonable advances may be made to them for such purposes.

(b) Members of the executive branch: Any members of the Commission who may be in the executive branch of the Government shall receive the compensation which he would receive if he were not a member of the Commission, but without regard to any other provision of law they shall be reimbursed for travel, subsistence and other necessary expenses incurred by them in the performance of the duties vested in the Commission and reasonable advances may be made to them for such purposes.

(c) Members from private life: The members from private life shall receive not to exceed $75 per diem when engaged in the performance of duties vested in the Commission, plus reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of such duties.

STAFF OF THE COMMISSION

SEC. 6. The Commission shall have power to appoint a Secretary General at a salary of not to exceed $15,000 per annum, and an Assistant Secretary General at a salary of not to exceed $12,500 per annum, and such other personnel in accordance with the Classification Act of 1949, as amended, or to obtain assistance from Government agencies on a reimbursable basis. The Commission is further authorized to employ experts and consultants for temporary and intermittent personal services, but at rates not to exceed $75 per diem for each individual. The Commission is authorized without regard to any other provision of law to reimburse employees, experts, and consultants for travel, subsistence, and other necessary expenses incurred by them in the performance of their official duties and to make reasonable advances to such persons for such purposes.

EXPENSES OF THE COMMISSION

SEC. 7. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed $250,000 to carry out the provisions of this act.

REPORT—EXPIRATION OF THE COMMISSION

SEC. 8. (a) Report: On or before December 31, 1954, the Commission shall make a reports of its findings and recommendations to the Congress. It may submit such interim reports as it deems desirable.

(b) Expiration of the Commission: Ninety days after the submission to the Congress of the report provided for in subsection (a) of this section 8, the Commission shall cease to exist.

DUTIES OF THE COMMISSION

SEC. 9. The Commission is directed to examine, study, and report on the objectives, operations, and effectiveness of our information programs, with respect to the prompt development of techniques, methods, and programs for greatly expanded and far more effective operations in this vital area of foreign policy through the use of foreign telecommunications.

POWERS OF THE COMMISSION

SEC. 10. (a) The Commission or, on the authorization of the Commission, any subcommittee or member thereof, shall have power to hold hearings and sit and act at such times and places in the United States and abroad, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony, as the Commission or such subcommittee or member may deem advisable. Subpenas shall be issued under the signature of the Chairman of the Commission and shall be served by any person designated by him.

(b) The Commission may authorize the Chairman or the Vice Chairman to make the expenditures herein authorized and such other expenditures as the Commission may deem advisable: *Provided, however*, That when the Commission ceases its activities it shall submit to the Appropriations Committee of the Senate and the House of Representatives a statement of its fiscal transactions properly audited by the Comptroller General of the United States.

(c) The Commission is authorized to secure from any department, agency, or independent instrumentality of the Government any information it deems necessary to carry out its functions under this act; and each such department, agency, and instrumentality is authorized and directed to furnish such information to the Commission, upon request made by the Chairman or by the Vice Chairman when acting as Chairman.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION WORK AMONG INDIAN TRIBES AND MEMBERS THEREOF

The Clerk called the bill (S. 3385) to provide for more effective extension work among Indian tribes and members thereof, and for other purposes.

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

AMEND SECTION 73 OF HAWAIIAN ORGANIC ACT

The Clerk called the bill (H. R. 5832) to amend section 73 of the Hawaiian Organic Act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 73 (1) of the Hawaiian Organic Act, as amended, be further amended by adding a new proviso to the second sentence thereof to read as follows: *"Provided, however*, That the commissioner shall give to every lessee, sublessee, or permittee under a revocable permit of public lands, being a citizen of the United States, or to any such person who has legally declared his intention to become a citizen of the United States and herefater becomes such, who has, or whose predecessors in interest have, or the combination thereof, occupied said lands for an aggregate period of not less than 10 years, a right to purchase so much of said lands as shall be used for a house lot or for agricultural or business purposes, but not to exceed one-half acre and such adjoining lands as may reasonably be required for a right-of-way to a government road, upon the payment of a fair and reasonable price, which price shall be determined by one or more but not more than three disinterested appraisers to be appointed by the Governor. The term 'predecessors in interest' as applied to a permittee under revocable permit shall be construed to include such permittee, his assignor or his devisor occupying said lands under a lease or a sublease immediately prior to the issuance of the revocable permit. In the determination of such purchase price, the improvements thereon shall be valued at $1, if such improvements were made or purchased by the lessee, sublessee, or permittee. If the commissioner shall deem it to be of public interest, he may substitute in place of such parcel selected by the purchaser public lands of similar character, value and area situated on the lands occupied under said lease or

revocable permit and such purchaser shall pay for the relocation of any improvements thereto. No person shall be entitled to this right of purchase of public lands who has exercised said option under any other lease, sublease, or revocable permit or the combination of both."

SEC. 2. This act shall take effect on and after the date of its approval.

With the following committee amendment:

Strike out all after the enacting clause and insert "That any provision of section 73 of the Hawaiian Organic Act, as amended, or of the Land Laws of Hawaii, as amended, to the contrary notwithstanding, the Commissioner of Public Lands of the Territory of Hawaii, with the approval of the Governor and two-thirds of the members of the Board of Public Lands, in his discretion, may transfer and convey to any applicant who is a citizen of the United States, or who has heretofore legally declared his intentions to become a citizen of the United States, upon his becoming such,

"(1) who upon the date of approval of this act held public lands in the Territory of Hawaii, by lease or revocable permit,

"(2) who on the said date, had, or whose predecessors in interest, or the combination of both, had occupied such land for an aggregate period of not less thn 5 continuous years,

"(3) who while still holding such land by lease or revocable permit, applies for a transfer and conveyance of such public land to himself, and

"(4) who complies with all rules and regulations duly promulgated with regard to such public land,

not more than one-half acre of such land as was in use by the applicant for a house lot or for business purposes, or both, as the case may be, and such adjoining land as may be reasonably required for a right-of-way to a government road, upon the payment of a fair and reasonable price, which price shall be determined by disinterested appraiser or appraisers, but not more than three, to be appointed by the Governor of Hawaii, all improvements thereon made or purchased by the applicant or his predecessors in interest to be valued at $1.

"SEC. 2. Not more than 3 acres of public lands immediately adjacent to any cemetery now in existence may, with the consent of such person or persons, if any, as could qualify under section 1 for the purchase of said land, be sold to the owner or owners of said cemetery. This act, with the exception of paragraphs (1), (2), and (3) of section 1, shall apply to any such sale made to the owner or owners of a cemetery.

"SEC. 3. In the case of an applicant giving his consent to a sale to a cemetery pursuant to section 2, or when the Commissioner of Public Lands shall deem it to be in the public interest, he may substitute in place of the lands used by the applicant, or in place of the portion thereof requested by him, as the case may be, other appropriate public lands of no greater area or value, the applicant to bear the cost of the relocation on the substituted land of any improvements.

"SEC. 4. No sale shall be made hereunder to any applicant who has already acquired public land pursuant to the provisions of this act, or to any applicant whose application is not filed within 2 years from the date of approval of this act, or such shorter period as shall be specified by rule or regulation.

"SEC. 5. The term 'predecessor in interest' includes any individual or individuals, partnership, corporation, or other legal entity, and in the case of an applicant who is a permittee under a revocable permit shall include such applicant occupying under a lease or a sublease immediately prior to the issuance of the revocable permit and the person from whom the applicant acquired such lease or sublease."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Commissioner of Public Lands of the Territory of Hawaii to sell public lands to certain lessees, permittees, and others."

A motion to reconsider was laid on the table.

ACQUISITION OF LAND WITHIN NATIONAL PARK SYSTEM

The Clerk called the bill (H. R. 6814) to facilitate the acquisition of non-Federal land within areas of the national park system, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WILLIAMS of Mississippi. Mr. Speaker, reserving the right to object, I would like to have a brief explanation of this bill.

Mr. D'EWART. Mr. Speaker, if the gentleman will yield, this is a bill made necessary for the Park Service to match certain funds that have been given or offered it to acquire land inside of existing parks. They oftentimes have donations of funds to acquire these lands on condition that the Federal Government matches those funds. This legislation is necessary so that the Committee on Appropriations can appropriate the funds necessary to match those that have been donated.

Mr. WILLIAMS of Mississippi. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in order to consolidate Federal land ownership within the areas of the national park system and to encourage the donation of funds for that purpose, the Secretary of the Interior is authorized to enter into contractual obligations on behalf of the United States for the acquisition of lands and interests in lands within such areas providing for the expenditure of Federal funds in an amount equal to the funds that may be donated for such purposes: *Provided*, That the obligation of Federal funds hereunder shall not exceed $500,000 annually: *Provided further*, That the contractual authorization for each year provided for herein shall remain effective following the end of that year until actually exercised, to the extent that donated funds have been received for that year.

With the following committee amendment:

Page 1, line 6, after "to", strike out down to and including the word "year" on page 2 and insert "accept and to use in his discretion funds which may be donated subject to the condition that such donated funds are to be expended for purposes of this act by the Secretary only if Federal funds in an amount equal to the amount of such donated funds are appropriated for the purposes of this act. There are authorized to be appropriated such funds as may be necessary to match funds that may be donated for such purposes: *Provided*, That the amount which may be appropriated annually for purposes of this act shall be limited to $500,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OLD KASAAN NATIONAL MONUMENT, ALASKA

The Clerk called the bill (H. R. 7912) to abolish the Old Kasaan National Monument, Alaska, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Old Kasaan National Monument, in Alaska, is hereby abolished, and the lands thereof shall hereafter be administered as a part of the Tongass National Forest.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXCHANGE RIGHT-OF-WAY FOR 6 ACRES ADJOINING PARK

The Clerk called the bill (H. R. 8205) to authorize the conveyance by the Secretary of the Interior to Virginia Electric & Power Co. of a perpetual easement of right-of-way for electric transmission-line purposes across lands of the Richmond National Battlefield Park, Va., such easement to be granted in exchange for, and in consideration of, the donation for park purposes of approximately 6 acres of land adjoining the park.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to grant and convey to Virginia Electric & Power Co. a perpetual easement of right-of-way for electric transmission-line purposes over, upon, and across fifty-five one-hundredths of an acre of land on the western side of Parker's battery site in the Richmond National Battlefield Park, Va., subject to such terms and conditions as the Secretary may deem desirable, and to accept in exchange therefor the donation of six and fifty-seven one-hundredths acres of land adjoining the Parker's battery area, Richmond National Battlefield Park.

With the following committee amendment:

Page 2, line 4, strike out "donation" and insert "conveyance."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the conveyance by the Secretary of the Interior to Virginia Electric & Power Co. of a perpetual easement of right-of-way for electric transmission-line purposes across lands of the Richmond National Battlefield Park, Va., such easement to be granted in exchange for, and in consideration of, the conveyance for park purposes of approximately 6 acres of land adjoining the park."

A motion to reconsider was laid on the table.

HAWAIIAN FARM LOAN BOARD

The Clerk called the bill (H. R. 7568) to authorize and direct the Farm Loan Board of Hawaii to convey certain land and to ratify and confirm certain acts of said Farm Loan Board.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any limitations imposed by section 73 of the Hawaiian Organic Act, as amended (31 Stat. 141), to the contrary notwithstanding, the Farm Loan Board of Hawaii is authorized and directed to convey by quitclaim deed to Martha Keliikuli, whose residence and post office address is in care of Kahuku Ranch, Kahuku, city and county of Honolulu, T. H., the following described parcel of land, together with buildings and other improvements thereon, subject to the provisos hereinafter set forth:

Lot 14, Puuepa-Kokoiki homesteads, North Kohala, Hawaii, being all of grant 7582 to Ernest K. Kanehailua, Registered Map Numbered 2495, Second Land District. Beginning at a post at the northeast corner of this lot and the southeast corner of lot 18 and on the west side of Iiikini Road, said point being two thousand five hundred twenty-one and three-tenths feet south and three thousand one hundred eighty and five-tenths feet east of Government Survey Trig. Station "Kehoni", as shown on Government Survey Registered Map Numbered 2495, and running by true azimuths:

(1) Three hundred forty-six degrees thirty minutes, six hundred thirty-seven and four-tenths feet along Iiikini Road and lot 13 to a post; (2) seventy-six degrees thirty minutes, three hundred and seventy-eight feet along lot 13 to a post; (3) one hundred forty degrees thirteen minutes thirty seconds, seven hundred nine and eight-tenths feet along the land of Upolu to a post; (4) two hundred fifty-six degrees twenty-six minutes, six hundred ninety-three and seven-tenths feet along lots 21, 20, 19, and 18, to the point of beginning; area seven and one-half acres: *Provided, however,* That said land or any part thereof or interest therein or control thereof shall not, without the written consent of the Commissioner of Public Lands and Governor, be, or be contracted to be in any way, directly or indirectly, by process of law or otherwise, conveyed, mortgaged, leased or otherwise transferred to or acquired or held by or for the benefit of any alien or corporation, or, to or by or for the benefit of any person who owns, holds, or controls, directly or indirectly, other lands or the use thereof, the combined area of which and the land in question exceeds eighty acres: *Provided further,* That these prohibitions shall not apply to transfers or acquisitions by inheritance or between tenants in common. In the event of violation of the foregoing provisions, said land shall forthwith be forfeited and resume the status of public land and may be recovered by the Territory or its successors in an action of ejectment or other appropriate proceedings.

SEC. 2. Sales of land heretofore made by the Farm Loan Board of Hawaii, and deeds covering such sales heretofore executed by any two members of the Farm Loan Board of Hawaii as provided in section 11 of Act 225, Session Laws of Hawaii 1919, and like sections contained in the Revised Laws of Hawaii, for and on behalf of said board shall not be held invalid or void for or on account of want of power to make such sale or deed, and the same are hereby ratified and confirmed to he extent set forth.

SEC. 3. This act shall take effect upon its approval.

With the following committee amendments:

Page 4, line 1, strike out "power" and insert "authority of any such members of said Board."

Page 4, strike out line 5.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGISTRATION OF COMMUNIST PRINTING PRESSES

The Clerk called the bill (H. R. 9690) to amend section 7 (d) of the Internal Security Act of 1950, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. VELDE. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 2766, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 7 (d) of the Internal Security Act of 1950, as amended (50 U. S. C. 786 (d)), is amended by adding after paragraph (5) the following:

"(6) A listing, in such form and detail as the Attorney General shall by regulation prescribe, of all printing presses and machines including but not limited to rotary presses, flatbed cylinder presses, platen presses, lithographs, offsets, photo-offsets, mimeograph machines, multigraph machines, multilith machines, duplicating machines, ditto machines, linotype machines, intertype machines, monotype machines, and all other types of printing presses, typesetting machines or any mechanical devices used or intended to be used, or capable of being used to produce or publish printed matter or material, which are in the possession, custody, ownership, or control of the Communist-action or Communist-front organization or its officers, members, affiliates, associates, group, or groups in which the Communist-action or Communist-front organization, its officers or members have an interest."

Mr. McCORMACK. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I just want to make a few observations. I was chairman of the special committee that investigated communism, nazism, fascism, and bigotry in 1934. My committee recommended what is now known as the Smith Act. I introduced legislation to carry out the recommendations of the committee, and for 3 or 4 years I could not get a hearing before the then Committee on the Judiciary on the ground that the recommendation of my special committee violated State rights. I was very happy when it was incorporated in the Smith bill.

My committee also recommended the Foreign Agents Registration Act which became law, and recommended other legislation. I think the time has arrived when we should meet the issue head on and outlaw the Communist Party. We have a bill in here, the effect of which would be to outlaw the infiltration of organizations, and yet we permit the Communist Party to continue to exist. I think the time has arrived when we ought to meet the issue head on and pass a bill outlawing the Communist Party.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. WALTER. Mr. Speaker, I am very happy to be able to report to the distinguished gentleman from Massachusetts [Mr. McCORMACK] that the subcommittee having under consideration the proposal the gentleman has mentioned will, in all probability, report the Graham bill today.

Mr. McCORMACK. Fine. I am very glad to hear that.

Also, I want to compliment the gentleman from Pennsylvania [Mr. WALTER] because he introduced a bill to outlaw the Communist Party, and also the gentleman from Texas [Mr. DIES]. I also want to compliment my friend, the distinguished gentleman from Pennsylvania, Judge GRAHAM, the chairman of the subcommittee, who in cooperation with the gentleman from Pennsylvania [Mr. WALTER] is taking the leadership in committee and elsewhere of this matter. I hope the bill will be brought out of the committee and be brought before the House before this session is over.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman.

Mr. DONDERO. I am very happy to join my friend from Massachusetts [Mr. McCORMACK] in what he has said. I want to report to him that my State of Michigan has already taken the Communist Party off the ballot, which is a step in the direction which the gentleman seeks to follow.

Mr. McCORMACK. May I say that every special committee from the time of my special committee and prior thereto, the Fish special committee down to the Velde committee has found the Communist Party to be an international conspiracy; that it is not a political party in the sense that we think of America political parties, but, as I say, a part of an international conspiracy to conquer the world and enslave all the peoples of the world.

Mr. VELDE. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. VELDE. Mr. Speaker, I want to say to my distinguished friend that I am sympathetic toward his request. I realize this, too, that the Communist Party was declared a conspiracy during the time that the gentleman was majority leader and the Democratic Party was in power. I asked the gentleman why it was that the bill to outlaw the Communist Party was not considered at that time.

Mr. McCORMACK. Is the gentleman asking me why it was not considered then?

Mr. VELDE. Yes.

Mr. McCORMACK. That is water over the dam. We were at war then. The conditions now are entirely different. At least they were somewhat different then. Most people had the hope

then that we could live with the Soviet Union, after the war was over. I was not one of those. I was not one who thought that; but most Americans did. We now know, as a result of our experiences subsequent to the war, that they have not changed one iota.

The gentleman's question is a fair one. It is a difficult one to answer, I realize; but I think the circumstances in 1954 are entirely different from what they were during the war, or immediately following the war. There were some people who thought and hoped that we could live in a world with the Soviet Union, but they now know that we cannot. I never thought we could.

Mr. VELDE. Mr. Speaker, I thank the gentleman for his very frank answer. I have not introduced a bill outlawing the Communist Party because I felt that we ought to give the McCarran-Wood bill a chance to operate, to see whether the situation could be handled under that bill without it being necessary to make it a crime to belong to the Communist Party. But it appears as time goes on that the McCarran-Wood bill does not handle the situation as we Americans would like to have it handled. More and more I am becoming impressed with the necessity of passing a bill to outlaw the Communist Party, as the gentleman has suggested.

Mr. McCORMACK. I think the sentiments expressed by the gentleman from Illinois [Mr. VELDE] represent my own state of mind and my own growing feelings and convictions. I appeared a few months ago before the Subcommittee on the Judiciary in support of such legislation. My feeling and the journey of my mind is pretty much as the gentleman from Illinois [Mr. VELDE] has stated is the journey of his mind. I think the time has now arrived, as the gentleman does, for us to meet the issue head on.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Illinois.

Mr. PRICE. Commenting on the statement of the gentleman from Michigan that the State of Michigan has removed the Communist Party from the ballot there, may I point out that back in 1942 there were over 40,000 Communist votes cast on the ballot in Illinois. In 1944 the Communist Party was removed from the ballot of the State of Illinois by action taken under the administration of Gov. Henry Horner.

Mr. McCORMACK. I am glad to get that information. I hope the bill will be reported out and that the House and Senate will act on it before this session of Congress is over.

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. RABAUT. Mr. Speaker, there is no question but that the subject of communism is and should be an object of universal concern, not only to Members of both Houses of the Congress, but also down to the humblest citizen of our Nation. Both our foreign and our domestic policy is geared to the all-encompassing conflict against communism. Our minds and our senses are alerted to the nature of its cancerous growth. In short, we cannot do enough to check its advance and to stifle its growth. But, despite present moves here to checkmate the spread of communism, it is well to remember that we began, in this House, over a dozen years ago, to curb the advancement of alien concepts and practices, which included communism, as well as other "isms," some of which took a bloody war finally to eradicate.

I speak of the clause, found in every appropriations bill which has emanated from the committee since 1941, in one or another amended forms, which provides that none of the funds available for expenditures under the particular act, shall be used to pay the salary of any person who advocates, or is a member of an organization that advocates the overthrow of the Government of the United States by force or violence. There are other pertinent provisions in this clause, which establish other protective procedures—and none of them are new. Nor is fighting communism something that is relatively new to Members of this House, especially to longtime Members of the Committee on Appropriations.

We ought to continue this fight against communism with an increased vigor and application and with a diminished hysteria.

The section, which has been in every appropriations bill since 1942, follows:

No part of any appropriation contained in this act, or of the funds available for expenditure by any corporation included in this act, shall be used to pay the salary or wages of any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided,* That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit has not contrary to the provisions of this section engaged in a strike against the Government of the United States, is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further,* That any person who engages in a strike against the Government of the United States or who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation or fund contained in this or any other act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both: *Provided further,* That the above penalty clause shall be in addition to, and not in substitution for, any other provision of existing law.

The SPEAKER. The question is on the passage of the bill.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 9690) was laid on the table.

AMENDMENT OF CIVIL AERONAUTICS ACT

The Clerk called the bill (H. R. 8898) to amend section 401 (e) (2) of the Civil Aeronautics Act, as amended.

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. ASPINALL. Mr. Speaker, I am constrained to object to the request of the gentleman from Arkansas. I feel that this legislation is deserving of consideration at this time.

The SPEAKER. The gentleman from Colorado objects.

Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 401 (e) (2) of the act of June 23, 1938, as amended (49 U. S. C. 487 (e) (2); 52 Stat. 987), is amended by adding the following:

"(3) If any applicant who makes application for a certificate within 120 days after the enactment of this section shall show that, from the date of enactment of this section until the date of its application, it or its predecessor in interest, was an air carrier furnishing, within the continental limits of the United States, local or feeder service consisting of the carriage of persons, property and mail, under a temporary certificate of public convenience and necessity issued by the Civil Aeronautics Board, continuously operating as such (except as to interruptions of service over which the applicant or its predecessors in interest have no control) the Board, upon proof of such fact only, shall, unless the service rendered by such applicant for such period was inadequate and inefficient, issue a certificate or certificates of unlimited duration, authorizing such applicant to engage in air transportation between the terminal and intermediate points within the continental limits of the United States between which it, or its predecessor, so continously operated between the date of enactment of this section and the date of its application."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF BANKRUPTCY ACT

The Clerk called the bill (H. R. 5796) to amend the Bankruptcy Act to make tax liens of States and their subdivisions valid against trustees in bankruptcy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That clause (2) of subdivision c of section 67 of the Bankruptcy Act, as amended, is amended to read as follows: "(2) the provisions of subdivision b of this section to the contrary notwithstanding, statutory liens, other than liens for taxes, created or recognized by the laws of any State for debts owing to any person, including any State or any subdivision thereof, on personal property not accompanied by possession of, or by levy upon or by sequestra-

tion or distraint of, such property, shall not be valid against the trustee:".

SEC. 2. (a) The provisions of this amendatory act shall govern proceedings, so far as practicable and applicable, in cases pending when it takes effect; but proceedings in cases then pending to which the provisions of this amendatory act are not applicable shall be disposed of conformably to the provisions of clause (2) of subdivision c of section 67 of the Bankruptcy Act as it existed just prior to the effective date of this act.

(b) This amendatory act shall take effect and be in force on and after 3 months from the date of its approval.

With the following committee amendments:

Page 1, line 6, after "statutory", strike out "liens, other than liens for taxes," and insert "liens."

Page 1, line 8, after "debt", insert "(as distinguished from statutory liens for taxes)."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This completes the call of bills eligible for consideration on the Consent Calendar today.

PRODUCTION FOR THE ARMED FORCES

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 9005) to continue the effectiveness of the act of July 17, 1953 (67 Stat. 177), with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 8, after "Congress", insert "or until July 1, 1955."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

RETIRED MEMBERS OF THE UNIFORMED SERVICES

Mr. ARENDS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 9302) to permit retired members of the uniformed services to revoke elections made under the Uniformed Services Contingency Option Act of 1953 in certain cases where the elections were made because of mathematical errors or misinformation. I may say this was a unanimous report from our committee, and has been cleared on both sides of the aisle.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. GROSS. Reserving the right to object, will the gentleman explain very briefly what the bill is?

Mr. ARENDS. I will be very glad to explain this to the gentleman.

This is a unanimous report from our committee. The purpose of the proposed legislation as amended is to provide a 60-day period, after its enactment, in which retired members of the uniformed services who were on the retired list when the Uniformed Services Contingency Option Act of 1953 was enacted, may revoke elections made under that act. Under the proposed legislation, revocations would be limited to cases in which it can be shown to the satisfaction of the Secretary concerned that the election was based on misinformation or mathematical error on the part of the retired member in the computation of the cost of benefits he would receive when such misinformation or mathematical error has resulted in undue hardship. I may say that this will affect only 30 or 40 individuals.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That retired members of the uniformed services who have elected under section 3 (b) of the Uniformed Services Contingency Option Act of 1953 (Public Law 239, 83d Cong.) to receive a reduced amount of retired pay in order to provide an annuity under such public law may, within 60 days after the date of enactment of this act, revoke such elections. A retired member may not revoke an election under this act if any individual has died who would have been eligible to receive, upon the death of the member, an annuity payable under the election made by him, or if he cannot establish to the satisfaction of the Secretary concerned that he made such election because he was misinformed as to his rights under such public law or because he made a mathematical error in computing the benefits which he would derive under such public law. No retired member who revokes an election under this act shall be entitled to have refunded to him any amounts withheld from his retired pay under such public law prior to such revocation, and he shall not thereafter be permitted to be covered in any way by such public law.

SEC. 2. Terms used in this act shall have the meaning assigned to them by the Uniformed Services Contingency Option Act of 1953.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert in lieu thereof the following:

"That retired members of the uniformed services who have elected under section 3 (b) of the Uniformed Services Contingency Option Act of 1953 (Public Law 239, 83d Cong.) to receive a reduced amount of retired pay in order to provide an annuity under such public law may, within 60 days after the date of enactment of this act, revoke such elections. A retired member may revoke an election under this act only if he can establish to the satisfaction of the Secretary concerned that he made such election because he was misinformed as to his rights under the Uniformed Services Contingency Option Act of 1953 or because he made a substantial mathematical error in computing the cost of the benefits which he would derive under that act and that such information or error has resulted in undue hardship. The Secretary concerned may revoke an election made by him on behalf of a mentally incompetent member when it is established to his satisfaction that such election has resulted in undue hardship. A retired member whose election is revoked under this act shall have refunded to him a sum which represents the difference between the amount by which his retired pay has been reduced in accordance with his election and the cost of an amount of term insurance which is equal to the protection provided his dependents during the period his election was in effect. A retired member whose election is revoked under this act shall not thereafter be permitted to be covered in any way under the Uniformed Services Contingency Option Act of 1953.

"SEC. 2. Terms used in this act shall have the meaning assigned to them by the Uniformed Services Contingency Option Act of 1953.

"SEC. 3. Payments of the refunds authorized by this act may be made from appropriate current appropriations."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR THE CONVEYANCE OF CERTAIN LANDS TO THE CITY OF MUSKOGEE, OKLA.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8983) to provide for the conveyance of certain lands by the United States to the city of Muskogee, Okla., with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 18, strike out "bill" and insert "act."

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

AUTHORIZING CENTRAL BANK FOR COOPERATIVES TO ISSUE CONSOLIDATED DEBENTURES

Mr. HOPE. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Consent Calendar No. 467, the bill (S. 3487) to authorize the Central Bank for Cooperatives and the regional banks for cooperatives to issue consolidated debentures, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, and I shall not object, the distinguished chairman of the House Committee on Agriculture conferred with me after I had asked that the bill be passed over without prejudice, and also the distinguished gentleman from Wisconsin [Mr. JOHNSON]. I am for the bill, but I felt, as I said in my colloquy earlier, that because of its importance it should be considered under the regular rules of the House and not by unanimous consent. But I realize we are getting to the close of the session, and if that happens, I realize there is a reasonable probability that it might get tied up in the last minute legislative rush, and not be passed.

Due to the persuasiveness of the distinguished chairman of the House Committee on Agriculture and the gentleman from Wisconsin [Mr. JOHNSON], and recognizing the practical situation myself as a result of my years of experience in this legislative body, I will be glad to see the House take such action on the bill that it will be passed today.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 37 of the Farm Credit Act of 1933, as amended (title 12, U. S. C. 1134m), is hereby amended by substituting the word "paragraph" for the word "section" in the next to the last sentence thereof and by adding thereto the following new paragraph:

"When the Central Bank for Cooperatives and the regional banks for cooperatives shall by resolutions consent thereto, consolidated debentures of the 13 banks for cooperatives may be issued in the manner and form and on terms and conditions approved by the Farm Credit Administration. There shall be a debenture committee comprised of the presidents of the 12 regional banks for cooperatives and the chief executive officer of the Central Bank for Cooperatives which shall exercise with respect to such consolidated debentures powers and functions equivalent to the powers and functions of the Bond Committee of the Federal Land Banks as authorized by the Federal Farm Loan Act, as amended, and shall operate in accordance with the provisions of law applicable to such Bond Committee (title 12, U. S. C., 883–886). Such debentures shall be made payable at any of the banks for cooperatives and may be made payable at any Federal Reserve bank or banks designated on the fact of the debentures. Such debentures shall be the joint and several obligations of the Central Bank for Cooperatives and of the regional banks for cooperatives, and each of such banks is hereby authorized and directed to take such action as is necessary to become obligated for such debentures. The debentures shall be secured by collateral which shall be at least equal in value to the amount of debentures outstanding and which shall consist of cash, direct obligations of the United States, or notes or other obligations discounted or purchased or representing loans made under sections 34 and 41, as amended (title 12, U. S. C., 1134j, 1134c). The Farm Credit Administration shall appoint a custodian or custodians of such collateral who shall have power subject to such rules and regulations as the administration may prescribe to approve and accept substitutions of collateral. The total amount of such consolidated debentures plus any outstanding individual debentures of the Central Bank which may be issued and outstanding at any time shall not exceed 8 times the capital and surplus of the central and regional banks for cooperatives. The provisions of law made applicable by the preceeding paragraph to the preparation and issue of debentures by the Central Bank for Cooperatives shall govern the preparation and issue of debentures under this paragraph and they shall be signed by the Governor of the Farm Credit Administration and attested by any deputy governor. Insofar as applicable, the provisions of the Federal Farm Loan Act, as amended, relative to the call for additional security and failure of any bank to pay its proportion of interest or principal shall apply to the consolidated debentures of the banks for cooperatives. Debentures issued under the provisions of this act by banks for cooperatives shall be a lawful investment for all fiduciary and trust funds, and may be accepted as security for all public deposits."

SEC. 2. The last sentence of paragraph 7 of section 5136 of the Revised Statutes, as amended (title 12, U. S. C., 24), is hereby amended by striking the words "Central Bank for Cooperatives" and inserting in lieu thereof the following: "thirteen banks for cooperatives organized under the Farm Credit Act of 1933, or any of them."

SEC. 3. Section 41 of the Farm Credit Act of 1933 (12 U. S. C. 1134c) is amended by adding at the end thereof the following: "Notwithstanding the foregoing or the provisions of section 34 or 38, no loan shall be made by any bank for cooperatives or by the Central Bank for Cooperatives for the purpose of financing the construction of broiler-growing facilities, the purchase of chicks, or the purchase of feed to be used primarily in the production of broilers. The said banks shall take reasonable precautions to avoid making loans which are likely to result in increased broiler production."

With the following committee amendments.

Page 3, line 9, change the word "central" to "Central."

Page 4, lines 5 to 15 inclusive, strike out all of section 3.

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING CONSTRUCTION OF NAVAL VESSELS

Mr. ARENDS submitted a conference report and statement on the bill (H. R. 8571) to authorize the construction of naval vessels, and for other purposes.

HOUR OF MEETING TOMORROW

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 o'clock tomorrow morning.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

COMMITTEE ON THE JUDICIARY

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight tonight to file sundry reports.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

ALLOWING SUITS FOR RECOVERY OF TAXES IN DISTRICT COURTS

Mr. KEATING submitted a conference report and statement on the bill (S. 252) to permit all civil actions against the United States for recovery of taxes erroneously or illegally assessed or collected to be brought in the district courts with right of trial by jury.

OUR PRIMARY NATIONAL INTEREST IS LATIN AMERICA

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, the revolution that broke out in Guatemala a few weeks ago served to move Latin America from the travel section to the front page of our newspapers. This conflict has long been brewing; it was not unexpected by those who have been following events south of the border. Even so, we were surprised to awake one June morning to discover that Guatemala, in our hemisphere and just a few hours flying time from the Panama Canal and the United States, had become a grave danger to the Nation's security against aggressive international communism.

Do the Communists really have a plan for war in the Americas? And if so, what are we doing to stop their attempt to disturb the peace and cooperation of this hemisphere?

There are some who argue that Latin America can never be a major danger to us. They reason that the area is too near to us and too remote from Communist power to be vulnerable to a Korean-type aggression. Yet Communist influences, while they may not burst upon us in open military conflict as in Korea, can seep in and be just as dangerous as outright military action.

One pattern of infiltration of this type can readily be traced in Guatemala. In 1944 the Guatemalan people revolted against a dictator. When it came time to organize a government of their own, however, the leaders of the revolt were divided by old rivalries and differences of approach to basic problems. None had ready a program of action. Into this situation came the Communists, highly organized and strictly disciplined. They arrived armed with a plan and a detailed procedure for carrying it out. The new president turned to them, for his other support was hopelessly divided. Before long, Communists held key posts in labor unions, the agrarian reform program, the government-controlled radio station and newspaper.

We all remember the flurry of editorial warnings resulting from the spotlight thrown on the Guatemalan situation at the Caracas Conference in March of this year. More recently there was a great commotion as a result of the armament shipment to Guatemala from Red Poland. Once again the headlines reverted to the small Central American republic as revolt flared up in the country.

This widespread publicity might lead some to believe that Guatemala is the only source of danger to the hemisphere. Certainly the situation in Guatemala was and perhaps still is a serious one. But Communist efforts to penetrate Latin America extend far beyond Guatemala and they go on day and night.

Throughout Latin America, Communist Party membership is estimated at around 200,000. It has been on the decline since 1947. Nevertheless, in the latest elections in Latin America, the Communist Parties polled about 1 million votes, indicating that many who do

not belong to the parties still support the Communists. This is an extraordinary figure when it is recalled that the highest vote ever polled by the Communist Party in the United States, in 1932, was only about 103,000.

We can ill afford to ignore the dangers of Communist infiltration in Latin America. The loss of this region or any part of it to freedom is unthinkable. We share with these republics to the south too many common ideals, needs, and interests. So many, in fact, that it is not an exaggeration to say that the Western Hemisphere has a common destiny.

As a former member of the Subcommittee on Latin America of the Foreign Affairs Committee of the House, I have traveled throughout Latin America and continue to maintain my interest in the area. I firmly believe that while we differ in language and customs, our ideals and aspirations are similar. The same belief in freedom and national independence that inspired Jefferson and Washington also motivated such great Latin American liberators at San Martin and Bolivar. Our political systems vary, but freedom is a goal which binds us all.

It was this goal which kept the nations of the hemisphere intact during World War II. How important the tie is to us was dramatized by the economic and strategic interdependence, that was evident during the conflict. At that time the Latin American nations filled unstintingly a desperate need in this country for raw materials needed for the war. And they joined with us in the military defense of the hemisphere. Some of their forces fought side by side with ours on battlefields across the seas. Bases in their countries proved to be vital jumping-off places and guard stations against enemy invasion.

Prior to the Guatemalan difficulties, it was easy to overlook the fact that this military interdependence continues in time of cold war as well as hot war. But now is a good time to remember that the Panama Canal, America's lifeline between the Atlantic and Pacific Oceans, lies in the midst of the 20 American Republics, and that more than one-half of our Latin American neighbors are geographically situated in the Caribbean or Gulf of Mexico area, a zone whose defense is indispensable to our security.

A situation such as existed in Guatemala presents a grave threat to the cooperation on this hemisphere. Fortunately that situation has improved. But it was a menace to the security and well-being of this Nation and the other Republics as well. What can we do to prevent a repetition or an extension of the Guatemalan situation? What can we do to bolster the common resistance of the Americas to the evil which is present? The events that have transpired in Guatemala emphasize the need to give constant attention to the relationships which we share with the republics to the south.

Some steps have already been taken. We have established a continuing mutual defense system with eight Latin American countries, and negotiations are going forward with others. Under this program, we furnish equipment to their armed forces and train military personnel in the methods of modern warfare. This program puts teeth into certain treaties which bind all the American republics to cooperate to end war in the hemisphere and to act jointly to stop aggression from entering it. These are encouraging evidences of the development of sound inter-American mechanisms for the defense of the hemisphere.

But military preparation alone will not halt the spread of communism. The fact is that communism feeds on certain conditions which exist in the Americas. And if we would eradicate communism, we must work together to eliminate those conditions. A look at the health and literacy statistics for Latin America is shocking. Life expectancy in that region averages less than 45 years. Whereas adult illiteracy in the United States is about 3 percent, we find such figures as 70 percent for Nicaragua, 44 percent for Colombia, 72 percent for Bolivia, and 45 percent for our nearest neighbor, Mexico.

The economic and social ills which rack many of our sister republics can no longer be ignored. The glowing promises presented by Communists could seem appealing and they are to those who are offered no alternative.

Let us, then, keep our military alliances in readiness. But at the same time, let us attack the problem at its roots.

Milton Eisenhower, on his return from Latin America, where he traveled as the President's personal representative, reported to the President:

> Economic improvement is the greatest single desire of the leaders and peoples of Latin America. And economic cooperation is without question the key to better relations between the United States and the nations to the south.

This opinion was substantiated at the Caracas Conference in March. At that meeting, the Latin Americans pointed out the immense obstacles in the way of their economic development. They wanted a hemispheric consideration of means for overcoming those obstacles.

I believe that there are ways in which we can be of help—not with new giveaways, not with irritating charity, but ways which will not only help the Latin Americans but ourselves as well. The day of the fantastic theory that friendship could be bought with handouts is over and not a moment too soon. We have come close to alienating the goodwill of the world by prolonging economic aid long beyond the time of its absolute necessity.

There are sound ways in which we can help Latin America and be helped in return. And these possibilities ought to be explored without delay.

The health of the economies of most Latin American countries is largely linked with the export of a single, or perhaps two, commodities. In Cuba it is sugar, in Bolivia tin, in Venezuela petroleum. Any sudden change in the world price of these commodities is in itself enough to cause a panic within the producing countries.

The Latin Americans are trying to get away from this single-commodity setup. But to do so, they must undertake broad programs of economic development. They need roads and railroads and improved water transportation to stretch to still untapped resources. They need powerplants as a base for industries so that they may diversify their production. These things take capital. Until now, capital accumulation has been dependent upon surpluses from the sale of their export commodities in the world markets as well as on loans from abroad, particularly from this country. Private investment of United States capital in our neighboring countries has been substantial. At the beginning of 1953, about $7 billion was invested in that region, more than in any other region of the world.

Only the most rabid nationalists and Communist - inspired Yankee haters would deny that these investments have greatly aided the development of the Latin American economies. Many fair-minded Latin American economists, however, point out that private capital from abroad has tended to gravitate to industries producing commodities readily salable abroad for dollars so that a return can be realized on the investment. Private foreign investment, in short, has gone heavily into raw-material production and mining development. These have been on the whole very beneficial investments and a continuation and expansion of them is highly necessary and desirable, both for ourselves and for the Latin Americans. But if such risk taking is to be stimulated to the advantage of both lender and borrower, it must be supplemented by other types of investment, particularly in roads, hydroelectric plants, port facilities, and similar undertakings. The problem is, From whence is capital to come for these investments since they are of a kind that are not generally financed by private capital?

Much of it, of course, will be provided by credit facilities in the Latin-American countries themselves. At the present rate of development, however, these countries are unable to satisfy the need for capital of this kind. One possible supplementary source—and one to which many Latin American leaders look—is the Export-Import Bank of the United States. Since 1934 the bank has authorized credits amounting to more than $2 billion to practically all of the southern Republics. These are not gifts. They are long-term loans, which are paid back with interest, and on which the default rate has been infinitesimal. They enable the receiving country to undertake major projects of development, the payment for which can be spread over a long period of time. The procedure involved is much like a private citizen's purchase of a house or an automobile.

In their desire to raise their standards of living, the Latin Americans are counting on our continuing and facilitating the flow of capital from this source. The value of these loans to them as well as to us goes without saying. They help to establish the basic facilities without which industry and trade cannot flourish. They serve to stimulate the flow of private foreign capital, thus encouraging

private enterprise, both in Latin America and the United States.

In this respect it is well to remember that we have a very flourishing trade with Latin America and that it is very much a two-way street. In 1953 they purchased more than 50 percent of imports from us and these purchases amounted to $6.4 billion. That is an enormous volume of sales and it means jobs and profit for thousands of Americans. I have examined what this trade means to my own State of Wisconsin, and found the facts very revealing.

Wisconsin, as the Members of the House know, has more dairy cattle than any other State, and leads the country in the production of dairy products. According to the Department of Agriculture, Latin America last year purchased more than 48 percent of the almost 6 million pounds of cheese the United States exported. Of the total United States export of milk products, like condensed and evaporated milk, Latin America took about one-third. Latin America also bought approximately two-thirds of all the butter sent abroad.

Latin America's purchasing power affects Wisconsin in still another way. My State manufactures many commodities which are used in the production of export goods: farm machinery, road machinery, automobiles and accessories, machine parts, bolts, rivets, batteries, electric motors. The list is too long to be itemized here. Each of these items that finds a customer in Latin America, increases the prosperity of the citizens of Wisconsin. In a similar manner, other States feel the benefits of their trade and the entire economy of the Nation is stimulated by this enormous annual sale of over $6 billion worth of products in Latin America. Furthermore, Latin America's rate of population growth, 2.5 percent annually, one of the largest in the world, promises to make that region an expanding market for consumer goods. The total population of Latin America is already greater than that of the United States.

In the fall, Latin American delegates are scheduled to meet with delegates from the United States to discuss our economic problems. I hope that we will recognize the need to stabilize our trade policies toward Latin America and to facilitate the granting of loans so vital to the development of our sister republics. The citizens south of our border are not content to live on 20 cents a day as they did in the past. In our own self-interest, both political and economic, as well as in the interest of the hemisphere, we must take cognizance of the real grievances of these people and cooperate with them through their governments in finding a solution to the problems which confront them. A poverty-stricken, illiterate populace is not a fertile basis on which democracy and private enterprise can flourish.

In this hemisphere, we still have a chance to demonstrate the power of free economies and free societies to serve the needs of their citizens far better than any other system. But we will be able to do so only if we work cooperatively, continuously and cordially with the other republics of the Americas.

In all of our relationships with our friends in Latin America it must be understood that the United States seeks no particular advantages, social or economic. We are sister republics on the same level, each a sovereign nation dedicated to the cause of human freedom in the Western Hemisphere and throughout the world.

On that basis we can all move forward together with the high expectation of better standards of living for all of our people and for continued hemispheric solidarity.

WEST VIRGINIA DISASTER

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BAILEY. Mr. Speaker, I have asked for this time in order to tell my colleagues that the Office of the United States Army Engineers has notified me that the State of West Virginia has been visited by another disastrous flash flood. This morning at 6 o'clock the city of Ridgeway, a city with a population of approximately 6,000, was practically devastated. Fourteen bodies have been recovered and 20 people are still missing. A number of houses have been destroyed. The extent of loss of life and property cannot be determined at this time because all communications have been cut off. The city is without water. I am calling the attention of my colleagues of the House to the fact that the White House has been alerted and the Army engineers and the Red Cross are on the job. I remind my colleagues of the need for prosecuting the program started recently by the chairman of the Committee on Agriculture on upstream development. This is one of those cases which could have been prevented by the kind of work provided for in that program.

MEMORIAL TO THE LATE HONORABLE ROY O. WOODRUFF

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, on Sunday, June 27, 1954, in the First Presbyterian Church, Bay City, Mich., there was formally presented by Mrs. Roy O. Woodruff, a memorial to her husband, the late Congressman from the 10th Congressional District of Michigan. The ceremony, though brief, was beautiful. Mr. Woodruff and his wife were residents of Bay City, in the 10th Congressional District, throughout their married life, and for many years were faithful members of the church. Mr. Woodruff's congressional service, during the 34 years of his tenure, was of a most outstanding and distinguished character. He was also a veteran of the Spanish-American War.

The memorial has been placed in the chapel entrance of the church and is an artistically designed bulletin board, with bronze plaques, at top and bottom of the board, appropriately inscribed.

The top inscription—surmounted by the cross—reads as follows:

> Let your light so shine before men that they may see your good works and give glory to your Father who is in heaven. (Matthew 5: 16.)

The bottom inscription reads thus:

> Given in memory of Hon. Roy Orchard Woodruff, March 14, 1876–February 12, 1953, by his wife, Daisy Fish Woodruff.

The presentation of the memorial was made by Mr. Carl H. Smith, prominent attorney of Bay City, and lifelong friend of the late Congressman. His remarks were of an intimate and moving character.

The formal acceptance of the memorial was made by the Reverend Frederick A. Roblee, pastor of the church, and concluded by the following beautiful prayer delivered by him:

> Almighty God, who dost enlighten the minds of Thy servants with the knowledge of Thy truth, strengthen now Thy church we pray Thee. May all who pass this place be inspired by the words of the Lord Jesus which are here inscribed, "Let your light so shine before men, that they may see your good works and give glory to your Father who is in heaven," and by the memory of this statesman who served his country so long and faithfully.
>
> O Thou who art the Creater and lover of all men, by whom all souls do live: We bless and praise Thee for all that was pure and true, noble and strong, in the life commemorated this day; for the example of faith in God and in men which he has left; and for the assurance we have, through Christ, that he has entered into eternal glory.
>
> Now unto Him that is able to do exceedingly abundantly above all that we ask or think, according to the power that worketh in us; unto Him be glory in the Church by Jesus Christ, throughout all ages, world without end. Amen.

Thereupon, Mrs. Woodruff, briefly but fervently, expressed the deepest appreciation, speaking as follows:

> I am very much pleased with this lovely memorial for my husband.
>
> I trust it will prove as useful and helpful to the church as Mr. Woodruff was to Bay City and the rest of the 10th district, which he represented in Congress so many years.
>
> Thank you all for your kind cooperation, and especially Dr. Roblee, who was helpful in making my dream a reality in the selection of something that would be useful and appropriate for the church.

This memorial, artistically conceived and wrought, constitutes a distinctive adornment for the church, and a constant and fitting reminder of the eminent virtues of him in whose honor it stands.

I know that the Members of this body who served with Mr. Woodruff, and who are fully cognizant of his sterling worth and patriotic and highly useful public service—as well as the newer Members who have come to understand all this—will be very glad to learn of the memorial and the ceremonial attendant upon its presentation and acceptance.

NINETEEN HUNDRED AND FIFTY-FOUR NATIONAL AWARD TO LEE METCALF

Mr. JOHNSON of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. JOHNSON of Wisconsin. Mr. Speaker, as a conservationist, I am proud to call the attention of my colleagues to the honor just bestowed upon my colleague from the First District of Montana [Mr. METCALF]. As you know, five great national conservation organizations have cited Mr. METCALF for distinguished service to conservation.

Eighty conservation leaders applauded as Bernard DeVoto, Pulitzer prize-winning author, presented the bronze plaque on behalf of the Wildlife Management Institute, National Wildlife Federation, Izaak Walton League of America, National Parks Association, and the Wilderness Society.

Mr. METCALF was cited as a man whose alert and continuing work in the Nation's Capital has won him widespread respect and admiration. By virtue of his profound interest and comprehensive understanding of conservation and its objectives and problems, he has during his first term in office as a Member of the House of Representatives emerged as a defender of the principles of better management and wise use of natural resources for the benefit of all of the people.

The organizations also noted that Mr. METCALF was a foremost leader in what they termed "successful actions that turned aside attempts by those who chose to overlook the fundamental privileges of all Americans in the national forest lands in order to obtain special concessions for minority groups."

Although I have only been in Congress since January, I am proud to have been present and voted with him in this fight.

I append to my remarks the citation which accompanied the plaque awarded to our distinguished colleague:

NINETEEN HUNDRED AND FIFTY-FOUR NATIONAL AWARD TO LEE METCALF FOR DISTINGUISHED SERVICE TO CONSERVATION

LEE METCALF'S alert and continuing work in the Nation's Capital has won him widespread respect and admiration. By virtue of his profound interest and comprehensive understanding of conservation and its objectives and problems, the recipient has, during his first term of office as a Member of the House of Representatives of the United States, emerged as a defender of the principles of better management and wise use of natural resources for the benefit of all the people. Among his many achievements in attaining an enviable record in the 83d Congress, he was a foremost leader in successful actions that turned aside attempts by those who chose to overlook the fundamental privileges of all Americans in the national forest lands in order to obtain special concessions for minority groups; he sponsored legislation that would make possible improved management of public-domain lands; and he directed the attention of Congress to the diversion of duck stamp funds while appealing for adequate appropriations with which to fulfill the duties and responsibilities of the United States Fish and Wildlife Service. It is in gratitude for this outstanding public service and in appreciation of his accomplishments that this national award and bronze plaque is presented to Representative LEE METCALF, of Montana, by the undersigned national conservation organizations.

IZAAK WALTON LEAGUE OF AMERICA.
NATIONAL PARKS ASSOCIATION.
NATIONAL WILDLIFE FEDERATION.
WILDERNESS SOCIETY.
WILDLIFE MANAGEMENT INSTITUTE.

Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. BROOKS] may extend his remarks in the RECORD following my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. BROOKS of Texas. Mr. Speaker, I too was very pleased to note that five national conservation organizations cited the gentleman from Montana [Mr. METCALF], for the distinguished service he has rendered in behalf of conservation during this 83d Congress.

Mr. METCALF has advocated a sound program of public-land management, a program of multiple use not only for this generation but for the future. He has maintained that full consideration should be given to all uses of public lands—including watershed conservation, timber production, mining, recreation, wildlife and grazing—instead of to just one or a few.

He feels, as I do, that only through maximum utilization of our great natural resources can we guarantee for future generations in this country the public benefits of bountiful natural resources.

To implement this program of full utilization of our natural resources, he has introduced H. R. 6081, amending the Taylor Grazing Act, and establishing multiple-use advisory boards on which each important use of public lands would be represented. Conservationists have hailed this bill as a step toward maximum use of our natural resources—a Federal policy since the days of Grover Cleveland and Theodore Roosevelt.

COLORADO RIVER UPPER BASIN PROJECTS

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, a solid front of unanimous opposition to pending congressional bills, S. 1555, H. R. 236, and H. R. 4449, for the Colorado River Upper Basin projects is being registered by those affected.

An avalanche of resolutions from many county, city, and community administrative bodies have been received by our California congressional delegation.

The statewide opposition to the proposed billion dollar nonliquidation tax subsidy, threatening our rightful share of Colorado River water, has been supplemented by telegrams and letters from recognized agricultural, labor, financial, property and taxpayers organizations.

The list recorded to date includes:

City Councils of Anaheim, Beverly Hills, Burbank, Calexico, Calipatria, Chino, Compton, Fontana, Fullerton, Glendale, Hemet, Holtville, Long Beach, Los Angeles, Ontario, Pasadena, Perris, San Diego, San Jacinto, San Marino, Santa Ana, Santa Monica, Torrance, and Upland.

The Los Angeles and Orange County Board of Supervisors, and the County Supervisors Association of California Board of Directors; Southern California Council of the California State Chamber of Commerce, California State Grange, Los Angeles Central Labor Council, California Industrial Union Council, CIO, Coachella Valley Water District, Colorado River Board of California, Imperial Irrigation District, Brawley Chamber of Commerce, Los Angeles Department of Water and Power, Metropolitan Water District of Southern California, California Taxpayers Association, Property Owners Association of California, Railroad Brotherhoods' Joint Legislative Council of California, Rainbow Municipal Water District in San Diego County, and San Diego County Water Authority.

The action by the County Supervisors Association of California Board of Directors, with every county in the State officially represented by the board's action, presents a united defense against the proposed bills which threaten California's rightful share of Colorado River water.

California's agricultural, industrial, and population growth is rooted in water and we must protect its source to meet our present and future expansion and employment—

Said Roger Jessop, president of the association, after passage of the resolution.

The resolution was introduced by Supervisor Willard Smith, of Orange County, and seconded by Supervisor David W. Bird, of San Diego County. It reads as follows:

Whereas the County Supervisors Association of California has consistently opposed legislation injurious to the welfare of the citizens of this State and the Nation; and

Whereas the Colorado River upper basin billion-dollar tax-subsidy project bills (S. 1555, H. R. 236, and H. R. 4449), now pending before the Congress, would inflict on all American taxpayers an unjustifiable new burden; and

Whereas, for California as a whole, it would add $93,200,000 to the State's $25,443,600,000 share of the present $273 billion national debt; and

Whereas the economy of the Nation, the State of California, and every county therein would be seriously impaired by these costly and highly controversial proposals; and

Whereas this pending legislation calls for drastic changes in existing Federal water policy with the construction of an Echo Park Dam, which would flood a considerable portion of the Dinosaur National Monument in Utah; and

Whereas 80 years of a sound conservation policy would be broken and there would be created a dangerous precedent of like-invasion of all our great National and State parks; and

Whereas the County Supervisors Association of California is familiar with the organization, functions, activities, and program of the Colorado River Board of California

in its representation of California in connection with matters relating to the Colorado River system; and

Whereas the State of California has a vital interest in the waters of the Colorado River system and said Colorado River Board was authorized and created and provided for by the legislature of the State of California as an agency to protect the interests of the State of California in and to the waters of the Colorado River system: Now, therefore, be it

Resolved, That the board of directors of the County Supervisors Association of California do hereby express our confidence in the Colorado River Board of California and supports said board's expressed opposition to this proposed legislation and authorizes the secretary of this association to mail copies of this resolution to all California Members of Congress.

But the opposition to these bills is national as well as local. Nationally these bills are opposed by the Advisory Board on National Parks, Historic Sites, Buildings and Monuments, National Parks Association, Wilderness Society, Izaak Walton League of America, Sierra Club, National Wildlife Federation, National Parks Magazine, National Council of State Garden Clubs, and Wildlife Management Institute. Also the Engineers Joint Council representing among others the American Society of Civil Engineers, American Institute of Mining and Metallurgical Engineers, American Society of Mechanical Engineers, and the American Water Works Association.

These pump-priming measures would inflict on all American taxpayers an unjustifiable new burden, and for California as a whole it would add $93,200,000 to the State's $25,443,600,000 share of the present $273 billion national debt.

This legislation calls for drastic changes in the existing Federal water policy with the construction of an Echo Park Dam.

As a result 80 years of a sound conservation policy would be broken and there would be created a precedent of like invasion of all our great National and State parks.

TRIBUTE TO GEN. CARLOS P. ROMULO

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include as a part of my remarks an editorial appearing recently in the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, the events in southeast Asia are leading to a climax. Whatever arrangements may be made in Geneva they will only serve to help lead to that climax. It is of utmost importanct to us to see to it that we strengthen our friendship with the peoples of that region and convince them of our sincerity as their friends and allies.

That is what we are doing in the Philippines. This session of Congress has so far approved a number of measures designed to show the Filipino people that we are grateful to them for the loyalty that they showed democracy in the last war and for their determination to stand up and be counted whenever democracy is threatened as they did when they sent their troops to Korea. They have a new President, Ramon Magsaysay, whose record as a guerrilla leader during the last war has won our admiration. His 6-month administration as President has served to enhance our respect and regard for him.

That he should have had the wisdom to send to Washington as his special and personal envoy our former colleague, Gen. Carlos P. Romulo, to work for the measures that we have approved shows that President Magsaysay knows how to choose the man who can get things for the Philippines in the United States. We have an abiding affectionate regard for General Romulo in this country. We not only respect him, but have a real affection for him. His war record is a record of loyalty and courage. His work in the United Nations for democracy has stamped him as one of the world's leading statesmen. Whenever we see him on the floor of the House we see in him not only a former colleague but a true soldier of democracy who in war as well as in peace can be counted upon to uphold and defend the democratic ideals of freedom and human dignity.

With the unanimous consent of the House, I insert an editorial of the New York Times of July 16 entitled "Gains for the Philippines" and which pays a well-deserved tribute to General Romulo:

GAINS FOR THE PHILIPPINES

President Eisenhower has signed a proclamation making effective, as of July 4, an 18-month extension of our reciprocal free trade with the Philippines. Congress had authorized this step and a similar measure has been approved by the Philippine Legislature. The purpose of the extension is to provide a period in which further study can be made of Philippine-American trade relationships, looking to possible revision of the basic trade act. The American members of a panel to make this study have already been named and they are distinguished economists and technicians. It is now to be hoped that Manila can quickly name men of equal caliber and that the study can begin at an early date.

The free-trade extension is the final step in a series of legislative and administrative moves over the past 5 months that have been designed to strengthen Philippine economy and to cement Philippine-American bonds. These include the Philippine Traders Act, which is a matter of simple fair play for businessmen, the extension of the Rogers Act, which provides medical benefits for Filipino veterans of our joint military campaigns, the extension of the War Prisoners Claims Act, which will benefit some 70,000 Filipinos who were prisoners, and the vitally important implementation of the United States-Philippines Mutual Defense Pact.

These things have been done without fanfare and without any great controversy precisely because there is a mutality of interest between ourselves and the Filipinos and much good will on both sides. Part of this stems from the personality of Ambassador Romulo, who came to this country as the personal representative of President Magsaysay to work for the adoption of these measures. He is a good and hard-working representative of a good and hard-working President, and the combination has paid dividends that can accrue both to his country and to ours.

SPECIAL ORDER GRANTED

Mr. MEADER asked and was given permission to address the House for 10 minutes today, following the special orders heretofore entered.

BAD DROUGHT CONDITIONS IN SOUTHWEST

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, although it has not received the publicity of last year's drought condition throughout the Nation, there are many indications that the drought situation in the Southwest is already worse in many areas than it was in 1953.

I have here a letter received this week from Cherokee County, Okla., in which the county agent reports the situation critical at present and he feels it will become progressively worse if drought continues.

I have a telegram just received this morning from Muskogee County stating:

Disastrous drought condition. Need immediate drought relief. Pastures and all feed dried up. Farmers selling foundation herds.

These conditions, I believe, are prevalent in many States of the Southwest.

Just Saturday the Senate passed the bill S. 3339, designed to provide immediate additional loan funds to meet this situation. Similar bills have already been introduced on the House side by the gentleman from New Mexico [Mr. DEMPSEY] and the gentleman from New Mexico [Mr. FERNANDEZ] and I am today introducing a similar bill. I hope the House will take action to meet this problem as quickly as possible.

SUPPLEMENTAL APPROPRIATION BILL, 1955

Mr. TABER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the immediate consideration of the bill (H. R. 9936) making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes; and pending that motion I ask unanimous consent that general debate continue for 2 hours, to be equally divided between the gentleman from Missouri [Mr. CANNON] and myself.

Mr. CANNON. Mr. Speaker, reserving the right to object, will the gentleman modify his request to make it not to exceed 2 hours.

Mr. TABER. Yes, I will. Mr. Speaker, I so modify my request.

Mr. CANNON. In that event if debate is sooner concluded we can proceed to a reading of the bill.

Mr. TABER. Yes, but I wish to state at this time that we have been unable to obtain the rule that we must have today

for the consideration of certain items in the bill, and the Rules Committee does not meet this afternoon. Because of this we will not read too far in the bill today.

Mr. CANNON. But you will conclude general debate?

Mr. TABER. Yes.

Mr. CANNON. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. The gentleman from New York [Mr. TABER] asks unanimous consent that general debate continue not to exceed 2 hours, to be equally divided between himself and the gentleman from Missouri [Mr. CANNON].

Is there objection?

There was no objection.

The SPEAKER. The question is on the motion.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 9936, with Mr. ALLEN of Illinois in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the consent request just granted, the gentleman from New York [Mr. TABER] will be recognized for so much of 1 hour as he may use and the gentleman from Missouri [Mr. CANNON] for so much of 1 hour as he may use.

Mr. TABER. Mr. Chairman, I yield myself 8 minutes.

Mr. Chairman, this bill involves a total of recommendations from the budget of $1,959,000,000. The committee bill as reported calls for the appropriation of $1,194,188,079. There are some routine items for the legislative and the judiciary and there are a few items for State, Commerce, and Justice, and some for Treasury.

The Department of Labor, and Health, Education, and Welfare, has been provided with $95 million; Agriculture, $6½ million; Interior $17,496,000; independent offices $388,471,000; military construction, $571,600,000; and emergency program activities $69,295,000.

When the bill is read for amendment an opportunity will be afforded for discussion insofar as amendments that may be offered are concerned. The committee has worked very hard upon these items, and I believe it has done a good job. It is one of the most difficult things in the world to handle a supplemental bill in the last days of a session.

I hope when the reading of the bill for amendment has been concluded it will receive the approval of the Congress.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from West Virginia.

Mr. BAILEY. Are there any provisions made for supplemental money to implement a change in public laws having to do with impacted school districts by dropping the absorption provision?

Mr. TABER. There is nothing in here that relates to that particular item, if I remember the situation correctly. I would rather yield to the gentleman from Idaho [Mr. BUDGE] to answer that question.

Mr. BUDGE. May I ask what the question was?

Mr. TABER. The question is whether there are any provisions in the bill that would remove some restrictions upon impacted school districts. I understood there were no provisions relating to school districts in here. There was nothing submitted, if I remember correctly.

Mr. BUDGE. There was nothing to my knowledge. I know of nothing in the bill that relates to impacted school districts.

Mr. TABER. That would be legislation, in any event.

Mr. BUDGE. I would think so, but there was nothing considered in the committee, and we had no submission from the Department, to the best of my knowledge.

Mr. BAILEY. The question grew out of the activities of the Senate in proposing to change the public law dealing with construction, maintenance, and operation on account of restrictions in the present law requiring percentage construction requirements. I take it that that legislation has not cleared the Senate and no request was made for including it here.

Mr. TABER. There was a provision in the Departments of Health, Education, and Labor bill before the House earlier. There was a provision that the Senate inserted relating to the elimination of a requirement that there be a certain percentage of children involved as a result of an impacted area before the district would be entitled to receive any aid. But the conference report did not provide for that.

Mr. BAILEY. As the result of that, was there not an understanding that money would be made available in this supplemental appropriation bill for that purpose?

Mr. TABER. No.

Mr. BAILEY. There was no agreement of that kind?

Mr. TABER. No; no agreement.

Mr. BAILEY. I thank the gentleman from New York.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Iowa.

Mr. GROSS. I notice an item of $500,000 for the building of an embassy in Pakistan, with the labor for the building of this structure to be donated. How much do these embassies cost, I would like to ask the gentleman?

Mr. TABER. Well, frankly, that Embassy, as I understand, is being built by what they call counterpart funds, and is being erected as an incident of good will to those people. So that it may be clear, as I understand, counterpart funds consist of moneys that have been received, or a percentage of the currency of the nations involved that has been received out of the sale of things that we have contributed to them in the days gone by. That is what I understand will be used for that purpose, so that the only thing that would come out of the Treasury would be the local currency that would be involved.

Mr. GROSS. I thought this bill provided for $500,000 in cash.

Mr. TABER. Well, the $500,000 in cash would be paid into the Treasury by the State Department for the purchase of that amount of counterpart foreign currency that was held by the Treasury. There is no other way that we could get anything out of them.

Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. GUBSER].

Mr. GUBSER. Mr. Chairman, I would like to take the time allotted me to express my regret that the committee has not seen fit to include the $8,430,000 rquested for the taking of a census of business, manufactures, and mineral industries. I prepared an amendment which, if introduced and adopted, would restore these funds, but I have elected to request the Senate to restore them instead of offering that amendment.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from New York.

Mr. ROONEY. I want to assure the gentleman that I, as well as a number of others on this side of the aisle, would be pleased to support the gentleman's proposed amendment. I have protested the denial of these necessary funds for the purpose of the legally required census of business, manufactures, and mineral industries. I know, and I say now, that this item is going to be restored to this bill in the Senate if it is not restored here in the House.

Mr. GUBSER. I thank the gentleman.

Mr. Chairman, I am particularly interested in this appropriation since I introduced the bill authorizing such census to be taken. The bill was approved by a subcommittee of the House Committee on Post Office and Civil Service of which I was chairman, and it was passed without objection or amendment by the Congress and was signed into law by the President. By authorizing the census, this Congress fulfilled the intent of the 80th Congress which passed legislation for a quinquennial census of manufactures, mineral industries, and business. It also followed the recommendations of the intensive review committee, appointed by the Secretary of Commerce.

But far above my interest in the appropriation which stems from my sponsorship of the authorization bill, is my concern for the taxpayer of this country. To refuse this money would be to throw away $1,590,000 of the taxpayers' money which is already invested in this census.

In deleting this appropriation from the bill, the House Committee on Appropriations held that there would be no loss of investment by the Federal Government if the special census were not conducted. The fact is that $200,000 was spent in fiscal 1952 and $1,390,000 in fiscal 1953 by the Bureau of the Census in preparation for the census that still has not been conducted. The appropriations subcommittee did not appropriate the needed funds for the census for fiscal 1954, giving the Census Bureau

$1,500,000 instead for the purpose of conducting spot checks. If the census is not made, $1,590,000 already invested would disappear down the drain.

The committee further contends that spot checks will be sufficient for the purposes of the business census. This is contrary to the informed opinion of the American Marketing Association, which states that periodic benchmarks are needed in a dynamic economy if we are to know what the actual facts of the economy are, and thereby correct errors that lie in sample studies. The testimony is overwhelming that sampling is worthless without the check points and benchmarks of an occasional complete census. The local map means nothing to the navigator except as it pertains to the entire globe. The charts of San Francisco Bay would be worthless to the pilot were it not for the larger chart which brought the vessel to the harbor entrance—such is the case with censuses.

The committee further contends that spot checks can be conducted from the normal operating funds of the Bureau of the Census. May I point out that the appropriation for fiscal 1954 was $6,870,000 for normal work, with $1,500,000 added for spot checks. The appropriation in this bill is $670,000 less than the normal operating budget of last year, with nothing appropriated for spot checks. Manifestly it is impossible to carry on even the spot-check program with this appropriation.

Mr. Chairman, there is no known opposition to this census outside the House Committee on Appropriations. A long list of witnesses testified before my subcommittee during hearings on the authorization bill, a list which, indeed, reads like a who's who in American business and industry. The National Cotton Council urges the census. So does the American Retail Federation, the National Association of Wholesalers, the United States Chamber of Commerce, the National Distribution Council, and the National Association of Manufacturers. Labor has given its approval, with both the American Federation of Labor and the CIO speaking for the census in recognition of the aid it gives the creation of employment. The National Bureau of Economic Research, the American Statistical Association, the American Marketing Association, and many other professional and educational groups also are for it.

Thus, we find that the legislative branch of the Government has authorized and directed that these censuses be taken, and that the executive branch, notably thc Council of Economic Advisers, the Department of Agriculture, the Office of Defense Mobilization, the Board of Governors of the Federal Reserve System, and others, have gone on record in favor of it. We find a solid backing by business and industry, labor, and professional groups. In addition, the taking of these censuses has been given highest urgency by the Intensive Review Committee of the outside experts appointed by the Secretary of Commerce to reevaluate the entire Census Bureau program.

Censuses are traditional in the United States, having been taken at regular intervals since 1810. Similar censuses are taken in all other parts of the industrialized and civilized world.

I might also point out that the estimates for 1954 are below those of the past preceding censuses, and I wish to reiterate here that there is no known opposition to the taking of these censuses outside of the House Committee on Appropriations.

Mr. Chairman, I urge that the $8,430,000, requested by the Bureau of the Census and deleted by the House Committee on Appropriations, be reinserted so that this important work may be carried on during the current fiscal year for the benefit of the Nation as a whole. This is no partisan issue. Business and labor alike want these censuses taken. The 80th Congress, in its wisdom, decreed their taking every 5 years. Let us not now allow $1,590,000 already spent to go down the drain.

Mr. CANNON. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. PRESTON].

Mr. PRESTON. Mr. Chairman, it shall be my purpose either this afternoon or tomorrow, depending on the action the Committee takes on this bill as to whether we rise or remain in session, to offer an amendment to restore to this bill the budget request of $22 million for Federal aid to airports.

May I point out that in 1946 the Congress passed a bill authorizing $520 million to be spent on Federal aid to airports. From that time on until fiscal 1954 the Congress appropriated varying sums for this purpose. Last year under this new administration the Secretary of Commerce advised our committee that he wished to make a study of this program to determine whether it was really feasible, whether it was really working properly.

Mr. PATTEN. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and twelve Members are present, a quorum.

The gentleman from Georgia will proceed.

Mr. PRESTON. Such a study was made by a commission appointed by the administration, and I may say a very careful study. That study has been further reviewed by the Department of Commerce. It was found unanimously that this program should be continued as it had in the past since 1946.

A budget request was accordingly sent over for this supplemental bill now before the Committee. Despite the urgings of the President, the Secretary of Commerce, the Civil Aeronautics Administrator, and the Deputy Under Secretary of Commerce for Transportation, the Committee on Appropriations has disallowed this request. So I shall offer the amendment. I am informed by the distinguished chairman of the Committee on Appropriations that the Committee will rise this afternoon rather early. I shall offer the amendment tomorrow. It will be the first amendment to be offered to the bill, so I want to caution those Members who are interested in restoring these funds that you should be on the floor tomorrow early, for this amendment will be one of the first items of business for consideration by the committee.

Mr. POLK. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I yield to the gentleman from Ohio.

Mr. POLK. I want to compliment and commend the gentleman from Georgia for his untiring efforts in endeavoring to secure funds for Federal aid to airports. I believe this is one of the most important problems we have in this country at this time.

In the district I have the honor to represent there is a proposed project. A situation exists where the people of Scioto County, Ohio, have $400,000 in the bank as the result of a sale of bonds for the purpose of building an airport in Scioto County, Ohio, near the great atomic energy plant. They have already purchased the land for this airport. Because of the change in policy during the past 2 years funds have not been available for them to proceed further. The gentleman's amendment will, if approved by the House, as I hope it will be, enable these people to go ahead and complete this project which is, as I said, partially complete. They had the land ready to proceed. All of the requirements have been met as far as the Civil Aeronautics Administration is concerned. All they need are the Federal funds to which they have always felt they were entitled. They have sold bonds with the understanding that the funds would be made available for that purpose. Therefore, I want to commend and compliment the gentleman and associate myself with him in his efforts in this regard.

Mr. PRESTON. I thank the gentleman.

Mr. EVINS. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I yield.

Mr. EVINS. I commend my distinguished colleague on the position that he has taken, and I certainly associate myself with him. I recall last year a similar fight was made on the need and the necessity for this fund. At that time it was stated that they were going to strike out the money this year, and then going to make a study of the need for it, and after the study, if we find it necessary next year, we will restore the money. So that study has been made and certainly there is a continuing and demonstrated need for this fund. I certainly hope the gentleman's amendment will be adopted, and that the necessary money will be restored.

Mr. PRESTON. I thank the gentleman.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I yield.

Mr. SCOTT. I am glad the gentleman has made this statement at this time. I also want to associate myself with what he has said. The Federal Government makes continuous and important, and will in the future make, I would assume, even more important use

of these airports. Particularly referring to the international airport, it would seem to me that the restoration of this fund is desirable in the national interests.

Mr. PRESTON. I thank the gentleman.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I yield.

Mr. BENDER. I commend the gentleman for his statement. I, too, want to associate myself with my friend in this matter, and I can assure him that we will be here tomorrow to support his amendment.

Mr. PRESTON. I thank the gentleman.

Mr. NICHOLSON. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I yield.

Mr. NICHOLSON. I thank the distinguished gentleman from Georgia for bringing this matter to the forefront of our attention. I hope he will be successful in restoring some of the money needed for this purpose in this budget.

Mr. PRESTON. I thank the gentleman.

Mr. GREEN. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I yield.

Mr. GREEN. I compliment the gentleman on his amendment. I want to state that I will support the amendment. All Members from the city of Philadelphia are very much interested in this matter.

Mr. PRESTON. I thank the gentleman.

Mr. Chairman, in conclusion I would like to emphasize one point. There is such a matter as good faith in our Government when we are dealing with the people. If we do not intend to keep the faith, we should repeal the law authorizing the fund. It is just that simple. It does not take much effort to repeal a law. If the overwhelming majority of this body is in favor of repealing that law, then we should repeal it and stop the impression from going out to the municipalities and airport authorities that Federal funds are going to be available. As we know, there are some $78 million worth of bonds which have been sold in this country in the belief that the funds would be made available to match the money that they have put up, and upon which interest is being paid to the bondholders.

Mr. DAVIS of Georgia. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I yield.

Mr. DAVIS of Georgia. I am very glad that the distinguished gentleman from Georgia is going to offer this amendment. I am wholeheartedly in favor of it, and will support it.

Mr. PRESTON. I thank the gentleman.

Mr. BYRNE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I yield.

Mr. BYRNE of Pennsylvania. I wish to compliment the gentleman from Georgia on his amendment and associate myself with the gentleman's remarks. I know that all Members of the Philadelphia delegation are likewise very much in support of the gentleman's amendment.

Mr. PRESTON. I thank the gentleman.

Mr. Chairman, tomorrow we will discuss the matter further. I am sure there are others who are interested and I want to say before I take my seat that I claim no credit for having worked on this amendment. There are two Members of the House who have been more concerned, I think, than anyone else, namely, the gentleman from Ohio [Mr. POLK] and the gentleman from Ohio [Mr. JENKINS], because they have found themselves in a very embarrassing position at home where their community, having issued bonds as other communities have done, has been unable to use the funds because of the lapse of one fiscal year in providing the moneys under this program. They have worked untiringly and have plead with our committee to supply these funds. I was very much disappointed when their pleas went unheeded. I hope tomorrow the House of Representatives will keep faith with the people of America and provide the funds to continue this program which has been so unanimously endorsed by all segments of the aviation industry as well as by the present administration.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. PRESTON. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I want to associate myself with the gentleman's amendment and tell him that Philadelphia has been allotted $6,334,000. I am sure all the Philadelphia delegation will go along with the gentleman's amendment.

Mr. JENKINS. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Chairman, I agree most heartily with the gentleman from Georgia [Mr. PRESTON]. I have prepared an amendment identical with the amendment that the gentleman will introduce.

The gentleman and I have for a long time worked together on this matter of getting a number of much-needed airports finished. I am particularly interested in the proposed airport at Portsmouth. This airport will be located within about 25 miles of where I was born and about 30 miles from where I live.

There are two things that recommend this airport most positively. The first reason is that the airport is needed—There is no airport within 100 miles of this proposed airport. There are about 750,000 people living within 60 miles of this airport. The second reason is that the people of Scioto County, in which this airport is to be located, were given to understand by the Government authorities that if the people of that county would furnish $400,000, which would be one-half of the expense of constructing the airport, that the Government authorities would match this amount.

The people of Scioto County voted for the issuance of this amount of bonds and the bonds were issued about 2 years ago. These bonds have been sold and are now drawing interest. If the Government fails to do its part, it will do these people a great disservice and will fail to keep its promise. The Government cannot break its promise any more than an individual can. I feel sure that when this House has given consideration to Mr. PRESTON's amendment and to my amendment the House will support these amendments. To fail to do so would be little short of dishonest conduct. I know the House will keep its promise.

Mr. BARRETT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARRETT. Mr. Chairman, the amendment being offered to include $22 million for the Federal-aid airport program amounts to a reinstatement of the program authorized by the Federal Airport Act of 1946. It is merely giving the Civil Aeronautics Administration the funds with which to carry out the intent and purpose of that act. This act authorized a Federal contribution of $1 billion for the airport program. However, to date the Congress has appropriated and contract authority has been given in a total amount of only $214,221,154.

Apparently in its haste to trim the budget, last year the administration more or less indiscriminately decided not to include in its budget a request for funds to aid the States in developing and improving their airports. At that time it was decided that an airport panel of the Transportation Council under the chairmanship of Jennings Randolph should investigate the need for any future participation by the Federal Government in such a program. After a thorough investigation and study of the airports throughout the country, the airport panel reported that it was most imperative to the needs of civil aviation and national defense for the Government to reinstate grants-in-aid to the States for airport development. The panel recommended reinstatement of this program. The administration is now in favor of it.

This money is not being requested for any special interests or particular areas of the United States. The recommendations of the Civil Aeronautics Administration includes apportionment to every State in the country, as well as the District of Columbia, Puerto Rico, Virgin Islands, and Territory of Hawaii. In the past, 1,181 airports have been developed under 2,476 projects authorized under the Airport Act of 1946.

The apportionment for the Commonwealth of Pennsylvania for fiscal year 1955 is listed by the Civil Aeronautics Administration as $634,043. The city of Philadelphia is one of the largest concentrations of industry, commerce, and international trade in the country. In the city of Philadelphia are located large plants of the Gulf and Atlantic Refining Companies, the Philadelphia Naval Base, Army Quartermaster Depot, Marine Corps Depot of Supplies, Frankford Arsenal, and Signal Corps. It is listed as

one of the most vulnerable cities in the country in the event of enemy attack. I am sure that any Member here today who has given the slightest thought to the significance of the airways to national defense will vote in favor of this amendment. Unfortunately, Philadelphia is in the critical surplus-labor market category and an airport-improvement program could do much to help stimulate trade for the area. It was difficult to understand the reason for discontinuing the grants-in-aid for airport projects for even 1 year. Now that the airport panel and Department of Commerce have recommended reinstating the project on the basis of a thorough study of the situation, it would be foolhardy not to accept this amendment to include the $22 million for implementing the Federal Airport Act of 1946. I believe the Members of the House are wholly justified in approving this amendment to reactivate the airport program, and I hope that there will be unanimous consent to Mr. PRESTON'S amendment.

Mr. BENNETT of Florida. Mr. Chairman, I rise to support the proposed amendment of the gentleman from Georgia [Mr. PRESTON] to provide adequate, or at least minimum, funds for the program of Federal assistance to airports.

The Federal Airport Act, adopted in 1946, established the policy of this Government to encourage the development of a nationwide system of public airports adequate to the need of civil aeronautics. That act provided for grants to States and municipalities on a matching basis and imposed various obligations on the recipients of the grants in that it provided that airports receiving the grants should at all times be available for use by military and naval aircraft and that space was to be made available for Federal air-traffic-control activities and weather reporting at rental rates substantially lower than would be made to other users.

I believe that a study of the larger and more important airports throughout our country will reveal that a small investment of Federal funds has resulted in tremendous benefits to our country not only in the field of making possible a nationwide network of commercial air transportation facilities, but also in the field of strengthening our national defense by making available a substantial number of facilities adequate for material assistance in our national defense. I give my wholehearted support to the efforts to insert at least $22 million in this bill for this purpose, the amount which has been recommended by the Bureau of the Budget.

I sincerely hope that the amendment will pass.

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 3 minutes, and I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. WIGGLESWORTH. Mr. Chairman, I take this time merely to call attention to the fact that the funds requested by the President of the United States, through the Bureau of the Budget, for the purpose of new ship construction, have been completely eliminated from the bill by committee action; and to state that at the proper time I propose to offer an amendment reinstating these funds.

The request is one of several which the administration has made with a view to meeting deficiencies in our merchant marine, and to alleviating the desperate situation which today confronts our ship-construction industry.

The funds are important from the standpoint of modernizing our merchant marine. They are vital from the standpoint of the maintenance of an essential mobilization base for national defense.

About a year ago the Department of Defense went on record as to what it termed a deficiency in merchant-type vessels, a deficiency numbering 214 vessels, 43 of them large tankers, 6 of them large passenger-cargo ships, and 165 of them other ships.

The funds requested here would supply not 214 ships but 14 ships, including 10 new large tankers, and 4 new large passenger-cargo ships.

They will, of course, be built in American yards.

This House has recently recognized the acute situation by which we are confronted at this time by passing two pieces of authorizing legislation designed to help meet the situation.

This request may be said to be a companion request to those two pieces of legislation.

I trust, Mr. Chairman, that tomorrow the House will agree to accept the amendment I shall offer in order that funds requested by the President may be made available for ship construction which is so vital at this time.

Mr. ALLEN of California. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to my good friend from California, who always has the merchant marine close at heart.

Mr. ALLEN of California. With regard to one of the bills concerning the building of tankers, the bill has passed this House and the other body, and the conference has met and a conference report has been agreed to although not yet submitted.

Mr. WIGGLESWORTH. To deny the funds here in effect would be to reverse our action with respect to that bill, would it not?

Mr. ALLEN of California. That is quite correct.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. ROONEY. Mr. Chairman, I yield myself 8 minutes.

Mr. Chairman, I rise at this time principally to comment with regard to the devastating action of the majority of the subcommittee as well as the full committee in two instances in this bill. The first, the request in the amount of $8,430,000 for the Bureau of the Census, Department of Commerce, for a census of business, manufactures, and mineral industries.

I deplore the committee's action in entirely denying funds for such a census. Most of us must realize from the number of telegrams received from chambers of commerce all over the United States that this is a very important item and that some provision, even if not the full amount, should have been included in this bill in order to carry on such a vitally necessary census.

It was very appropriately pointed out a while ago by the gentleman from California [Mr. GUBSER] that the taxpayer has $1,590,000 already invested in this census, and that this money will be lost unless provision is made at this time to go forward with it.

I have always been one who has tried to realize the realities of life. Now, the same thing is going to happen here as happened with regard to the census of agriculture. In the early part of this year the President and his Bureau of the Budget and the Bureau of the Census requested $3,500,000 for a sample census of agriculture. It was denied wholly by this committee last February. The House concurred. I pointed out at the time on the floor of this House that it was senseless to deny funds for a census of agriculture as required by law, by a law enacted by this very House of Representatives and the other body and signed by the President. But you did not rectify the mistake at that time, and subsequently when the regular State, Justice, Commerce appropriation bill for 1955 fiscal year was considered by the other body there was inserted not $3,500,000 for a sample census of agriculture, but $16 million for a full census. The House conferees accepted it and the bill has already been signed by the President and is now law. I predict that the same thing will happen with regard to this request for a census of business, manufactures, and mineral industries. There will be one.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield.

Mr. RABAUT. The gentleman is absolutely right. I had a telegram from the Detroit Board of Commerce asking me to see what could be done about this census of business, manufactures, and metals.

Mr. ROONEY. I likewise have had telegrams, I may say to my distinguished friend, the gentleman from Michigan, from chambers of commerce all over the United States, insisting that this is a very worthwhile census and vitally necessary to the Nation's business.

My second comment is with regard to the unusually drastic denial of funds for ship construction programs under maritime activities. The Department of Commerce, as you will learn from the committee report, requested $82,600,000 for this purpose. It was comprised, first, of $44,500,000 for construction-differential subsidy and national defense allowances on four passenger-cargo ships to be built by private operators as replacements for ships which have since become outmoded. This was entirely eliminated. Eleven million, one hundred thousand dollars of the eighty-two million, six hundred thousand dollars was allowed by the

committee for experimental modernization of four reserve fleet Liberty ships. But $26 million for a trade-in-and-build tanker program which would result in 10 new tankers and 20 trade-ins was wholly denied as well as $1 million requested for administrative expenses of the Maritime Administration.

I have prepared an amendment which would restore all of the funds for this vital program. I am reliably informed that this morning at the White House it was stated in unequivocal terms that this proposed majoriy action of the Committee on Appropriations would actually decimate the American merchant marine, and that this money should be restored to this bill.

I am going to be so bold and so reckless as to stand up here and support the President of the United States, President Eisenhower, in this matter, and I hope that there may be sufficient numbers of our friends on that side of the aisle who will be so bold and so reckless as to support the President and vote to prevent the decimation of the American merchant marine.

Mr. PELLY. Mr. Chairman, will the gentleman yield?

Mr. ROONEY. I yield to the gentleman from Washington.

Mr. PELLY. I want to assure the gentleman that I am going to support that amendment.

Mr. ROONEY. I would fully expect the support of the gentleman from Washington. I know of his professed interest in the American merchant marine. He and I have generally been in agreement with regard to the highly important matter of unemployment in our American shipyards as well as with regard to the carrying on of our merchant marine, and I commend the gentleman.

Mr. PELLY. I think I can assure the gentleman there are many more on this side of the aisle who will support the American merchant marine.

Mr. ROONEY. I hope the gentleman from Washington is correct in that regard when we get down to counting hands and heads. If we are unsuccessful in restoring these vitally needed funds to the bill I shall offer a motion to recommit, if I am recognized for that purpose, which would include the amendment which the gentleman from Massachusetts [Mr. WIGGLESWORTH] and I have prepared.

Mr. BENNETT of Florida. Mr. Chairman, I understand that the gentleman from Massachusetts [Mr. WIGGLESWORTH] will offer an amendment to restore to this bill the amount approved by the Bureau of the Budget for subsidization of new ship construction. It seems to me to be highly important that these funds be restored to this bill. It is my understanding that the money will be well spent when viewed from the aspect of national defense. It would also seem to be well spent from the standpoint of assisting our shipbuilding industry and keeping it in a going condition.

Our vital shipbuilding and ship repairing industry is faced with an emergency. Under Secretary of Commerce Robert B. Murray, Jr., has presented some telling figures concerning this emergency. He points out that World War II taught us that about 36,000 workers should be employed during peacetime in merchant ship construction, if we are to have an adequate base upon which to expand in wartime. How are we meeting the need for a 36,000-worker shipbuilding industry? Under Secretary Murray estimated that we had an average of 22,300 workers during 1952 and 23,000 during 1953. He estimates that the average employment will drop to approximately 10,800 workers this year and to about 1,200 workers in 1955 if nothing is done to halt the decline. He ascribes the precipitous drop in 1954 and 1955 to the completion of merchant ships now under contract. We here in Congress do not want to be responsible for there being a weak link in our chain of defense.

It seems clear to me that providing these funds would be of great assistance to the health of the shipbuilding industry at this time. This objective is in itself in the interest of national defense. Furthermore, the ships when constructed will be an asset in the national defense because they can be readily converted to military purposes. For these reasons, I sincerely hope that the House will approve this amendment.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. DAVIS].

Mr. DAVIS of Wisconsin. Mr. Chairman, I shall confine my remarks to chapter 8 of the bill which is the largest single item in this supplemental appropriation. That is the annual appropriation for military construction.

If you will refer to page 30 of the committee report you will see that the amount of money requested for military construction in the fiscal year 1955 has been very substantially reduced; but that does not mean that the program itself has been reduced by anything approaching that amount. What it does mean is that the committee has made provision for a draining off or a using up of very substantial unobligated balances now in the hands of the armed services which are available for the military construction program. The amount which is being made available will permit the armed services to go forwarded in developing the physical facilities here and abroad that are necessary as the basis for operation of our Armed Forces. The individual detailed actions of our subcommittee are set forth quite clearly and quite fully in the report which is available to you.

I may mention, however, that with respect to overseas facilities—I think every Member will understand the necessity for handling it in that manner—we have sent a classified letter to the Secretary of Defense which explains the detailed actions that we have taken with respect to various facilities outside continental United States. So you will not find that detailed breakdown of information included in the report which is available to you. If there are questions which you have with respect to any of those installations overseas and you will ask some member of the subcommittee about them he will be happy to furnish you, as an individual, with that information.

The result of the subcommittee's work has been to attempt to continue the austerity program that has been initiated in the Armed Forces construction program. This group of items that you have before you does not represent austerity of facilities that are to be available to Armed Forces personnel. It does, however, attempt to continue the rule of austerity with respect to the type of construction; in other words, we want the men in the armed services to have all of the physical facilities they need, but we do not want them to have anything fancy or ornamental because those frills cost a great deal more money than is necessary in order to provide reasonable facilities.

In accordance with the stated policy of the President, this year's program includes a great many personnel and welfare items, which is something of a departure from the programs of past years when the emphasis has been placed on operational, rather than upon personnel, facilities. We have had some difficulty in attempting to hold the armed services to reasonable standards in a number of these personnel and welfare facilities. Perhaps it is because this modern program is rather new and fresh to them; they have not had the experience in construction in recent years that they have had with the operational facilities.

For example, I cite the gymnasium down at the Naval Academy at Annapolis. They requested one at a cost which was almost $30 a square foot, but out here at Georgetown University in the District of Columbia, there was recently completed a gymnasium at a cost of about $15 a square foot. So, we denied that particular item in an attempt to get them to come in with a more reasonable pattern of construction. The same with fire stations for the Navy and some of the other things that appeared to be out of line and out of keeping with the necessity for austerity.

The effect of the subcommittee's action is to require the Armed Forces to use about $665 million of previously appropriated but unobligated funds in furtherance of this year's program. That is divided about $192 million for the Army, $350 million for the Air Force, and about $122.5 million for the Navy.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Wisconsin. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. Was it the intention of the committee to make appropriations for those items contained in the recent military construction authorization?

Mr. DAVIS of Wisconsin. We had those items before us, but the request before us was not confined only to those that were recently authorized. There were some older authorizations included in the program as well.

Mr. JONES of Alabama. So there is no intention on the part of the committee to say that appropriations will not be forthcoming for those that have been omitted from this list?

Mr. DAVIS of Wisconsin. It is possible, if they are authorized now, they may be submitted to our committee at a later date for funding; that is correct.

Mr. JONES of Alabama. So there is no intention on the part of the committee to hold in prejudice those authorized projects that were not included in this bill?

Mr. DAVIS of Wisconsin. Before I would answer that, I would have to know whether that particular project was submitted to our committee for consideration this year.

Mr. JONES of Alabama. I understand. But the indication of this report is that none of the other projects, or the ones omitted from this list, were held in prejudice by the committee.

Mr. DAVIS of Wisconsin. If the denial was with prejudice, you will find explanation for it set forth in detail in the report.

Mr. JONES of Alabama. I thank the gentleman.

Mr. DAVIS of Wisconsin. Since this is the last handiwork of our subcommittee that will be brought to the floor in the 83d Congress, I would not want this day to pass without expressing my very real appreciation to those members of the subcommittee who have served so conscientiously and so cooperatively during the two sessions of the 83d Congress. What I say applies to every one of them: to the gentleman from New Jersey, [Mr. HAND], to the gentleman from Michigan [Mr. CEDERBERG], to the gentleman from Michigan [Mr. RABAUT], and to the gentleman from South Carolina [Mr. RILEY], every one of whom has been most helpful, has contributed a great deal of time and work to the efforts of the subcommittee, and has made working with them not a chore but a real pleasure. Then, too, we have had the assistance and the advice of those two elder statesmen of the committee, the chairman of the full committee, the gentleman from New York [Mr. TABER], and the ranking minority member, the gentleman from Missouri [Mr. CANNON].

If there are further questions regarding this military construction program, I will be happy to attempt to answer them at this time.

Mr. BENNETT of Florida. Mr. Chairman, will the gentleman yield?

Mr. DAVIS of Wisconsin. I yield to the gentleman from Florida.

Mr. BENNETT of Florida. On page 35 of the report it says that—

> At naval air station, Civil Field, Fla., the parachute building and ordnance facilities have been denied.

My question is this: As I understand in the preceding part of that paragraph you are asking for a research and a review to be made to see whether those things are really needed or whether they may be dispensed with. So I desire to ask the gentleman this question. This is not a final determination that they are not needed but rather a determination that the gentleman and his committee wish to have a review before they are approved; is that correct?

Mr. DAVIS of Wisconsin. That is right. The estimates submitted before us appeared to be too high. We have asked them to review that matter and come in again.

Mr. BENNETT of Florida. I thank the gentleman.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield for another question?

Mr. DAVIS of Wisconsin. I am happy to.

Mr. JONES of Alabama. I understand that there were several projects authorized in the last authorization act but that there have not been prepared budget estimates or recommendations that were submitted in time to be included in this bill; is that correct?

Mr. DAVIS of Wisconsin. I think it is correct that there were a number of items authorized in this Congress that were not submitted to our committee for funding at this time. We would have to assume that those projects are considered necessary or they would not have sought authorization and therefore I would think that they will come in perhaps in the next session with a request for funding at that time.

Mr. JONES of Alabama. I thank the gentleman.

Mr. CANNON. Mr. Chairman, I yield the gentleman from Florida [Mr. BENNETT] such time as he may require.

Mr. BENNETT of Florida. Mr. Chairman, I ask unanimous consent to revise and extend my remarks with regard to maritime matters following the remarks of the gentleman from New York [Mr. ROONEY]; and I make a similar request with regard to the subject of airport activities following the remarks of the gentleman from Georgia [Mr. PRESTON].

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CANNON. Mr. Chairman, we have no further requests for time on this side.

Mr. TABER. Mr. Chairman, there have been many questions asked me, and there have been requests that that report be printed in the RECORD because it would answer many questions which would take considerable time to answer on the floor.

I therefore ask unanimous consent that the report of the committee, with the exception of the tables, be printed in the RECORD, notwithstanding the rule of the House requiring a special report and a special consent from the House with reference to the printing because of its extent.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

(The matter referred to follows:)

SUPPLEMENTAL APPROPRIATION BILL, 1955

Mr. TABER, from the Committee on Appropriations, submitted the following report to accompany H. R. 9936:

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations to supply certain regular and supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes.

The estimates upon which the bill is based are contained in House Documents Nos. 264, 361, 385, 408, 422, 428, 438, 439, 440, 441, 442, 443, 444, 454, 455, 456, 459, 460, 461, 467, 468, 469, and 471. The bill is divided into chapters corresponding to the subcommittees considering the estimates. The recommendations contained in the bill are as a result of deliberations of the several subcommittees as approved by the full committee.

SUMMARY OF BILL

Budget estimates considered by the committee total $1,959,958,267. Appropriations recommended total $1,194,188,079, a reduction of $765,770,188. These amounts are distributed by chapters of the bill as indicated in the following table (not printed).

CHAPTER I

Subcommittee: WALT HORAN, Washington, chairman; FRED E. BUSBEY, Illinois; FRANK T. BOW, Ohio; SAM COON, Oregon, temporarily assigned; MICHAEL J. KIRWAN, Ohio; GEORGE W. ANDREWS, Alabama; J. VAUGHN GARY, Virginia, temporarily assigned.

Legislative branch

This portion of the bill provides an additional $254,785 for fiscal year 1955 to strengthen the Capitol Police force as provided by legislation now before the House. An additional $175,000 is approved for the employment of 43 new men for the force, and an increase of $79,785 is allowed to purchase new uniforms, firearms, and miscellaneous equipment, together with 1 additional scout car.

The committee has also included two items of language under this heading of the bill. The first makes it possible for the Folger Shakespeare Library to obtain steam from the Capitol Power Plant on a reimbursable basis. The second authorizes the use of the unexpended balance of 1943 funds of the Government Printing Office to pay a claim certified by the General Accounting Office against the 1942 appropriation in which there is no balance available to meet the payment.

Judiciary branch

The committee has approved the full supplemental estimate of $222,000 carried in House Document No. 444 for fees of jurors and Commissioners for 1954. The large increase in the number of jury trials during the fiscal year, which are over 8 percent higher than the previous year, makes it necessary to provide additional funds to meet increased jury costs.

The balance of the items for the judiciary included in House Document No. 428 have not been allowed. It is believed that the penalty mail cost of $5,500 for 1954 can be absorbed within the amount now available for expenses of referees. Further, the committee feels that the supplemental requests to cover expected increases in salaries and expenses of referees in 1955 should not be allowed in advance of approval by the Judicial Conference.

CHAPTER II

Subcommittee: CLIFF CLEVENGER, Ohio, chairman; FREDERIC R. COUDERT, JR., New York; FRANK T. BOW, Ohio; SAM COON, Oregon; JOHN J. ROONEY, New York; PRINCE H. PRESTON, JR., Georgia; ROBERT L. F. SIKES, Florida.

Department of State

Acquisition of buildings abroad: The committee recommends $500,000 for this item, a reduction of $462,000 in the budget estimate. The $500,000 allowed is for materials and plans for the construction of an embassy office building in Karachi, Pakistan. The committee was advised that the Government of Pakistan has offered to supply, free of all cost to the United States in appreciation of our wheat loan, the labor costs involved in the construction of the building. The committee expects the Department to complete the building with the funds allowed.

The request for funds for the acquisition of permanent facilities for information centers in Germany is disallowed.

International Claims Commission: The bill includes the language requested to continue available during fiscal year 1955 the unobligated funds appropriated in the Supplemental Appropriation Act, 1954, for this Commission. The amount of the unobligated funds is estimated at $34,000. The commit-

tee has been assured that this work is to be completed without cost to the American taxpayer as requested by this committee.

Department of Justice

Legal Activities and General Administration

Salaries and expenses, general legal activities: The bill includes $275,000, a reduction of $75,000 in the budget estimate, for additional funds for the newly created Internal Security Division. It is expected that with the additional funds provided herein the necessary action on the part of this Division will be taken.

Salaries and expenses, United States attorneys and marshals: There is included in the bill $400,000 additional for United States attorneys and marshals to provide for additional staff to meet anticipated increase in workload in the 27 districts where new judgeships have been created and also to meet the unanticipated increases in internal security matters. The amount allowed is $125,000 below the budget estimates.

Fees and expenses of witnesses: The authority requested to transfer $135,000 from "Salaries and expenses, Antitrust Division," fiscal year 1954, to "Fees and expenses of witnesses" is included in the bill. The committee was advised that this additional amount would be required to pay the fees and expenses of witnesses.

Immigration and Naturalization Service

Salaries and expenses: The bill includes $3 million, the budget estimate, to permit the Immigration and Naturalization Service to enlarge its border patrol in order to apprehend illegal Mexican aliens and alien smugglers and to provide for their deportation to Mexico. The committee is recommending this increase with the understanding that the results obtained will determine the future action of the committee with regard to this item.

Federal Prison System

Salaries and expenses, Bureau of Prisons: The committee recommends an additional $750,000 for this item to take care of the increase in prison population beyond that anticipated at the time the budget was prepared and for the activation and operation of the Terminal Island facility.

Department of Commerce

Bureau of the Census

Censuses of business, manufactures, and mineral industries: The request for $8,430,000 to provide for the first year's cost of the censuses of business, manufactures, and mineral industries during fiscal year 1955 is not approved.

Civil Aeronautics Administration

Salaries and expenses: A request for $860,000 to provide for operation of aeronautical service by the Civil Aeronautics Administration at Cold Bay, Alaska, and Balboa, Panama Canal Zone, was submitted in House Document No. 454. The committee favors the operation of these services by the Civil Aeronautics Administration but recommends that the amount required for such operation be absorbed from the $97,650,000 appropriation they now have for salaries and expenses.

Establishment of air-navigation facilities: The committee recommends language which will permit the use of not to exceed $600,000 of funds previously appropriated for establishment of air-navigation facilities, for necessary construction and rehabilitation of facilities at Cold Bay, Alaska.

Federal aid airport program, Federal Airport Act: The request for $22 million contained in House Document No. 428 to provide funds for reinstitution of the Federal aid airport program is denied.

Claims, Federal Airport Act: The request for $69,449 for this item as contained in House Document No. 428 is denied.

Washington National Airport Corp.: Inasmuch as the legislation has not yet been enacted the committee has denied this request.

Land acquisition, additional Washington airport: The amount of the estimate, $16,297, is included in the bill to provide funds necessary for payment of the remaining claims.

Business and Defense Services Administration

Salaries and expenses: The supplemental request for $1 million to expand and augment the collection and analysis of information concerning construction activity is not allowed.

Maritime Activities

Ship construction: Of the $82,600,000 requested in House Document No. 428 for this item, the committee has allowed $11,100,000. The amount recommended by the committee is for the experimental modernization of four Reserve Fleet Liberty ships as a basis for developing plans to modernize the remaining ships in the reserve fleet in the event of emergency.

Ship mortgage-foreclosure of forfeiture contingencies: The bill includes $2,500,000 to enable the United States Government to protect its interest in forfeiture or mortgage-foreclosure cases. It is expected that maximum use will be made of non-Government funds before this appropriation is used.

Bureau of Public Roads

Inter-American Highway: The bill includes $4,750,000 for the improving and extending of the Inter-American Highway in three important Central American Republics—Nicaragua, Costa Rica, and Panama.

Weather Bureau

Salaries and expenses: A supplemental of $175,000 was requested in House Document No. 454 to provide for meteorological observations and services by the Weather Bureau at Cold Bay, Alaska. The committee approves the operation of this activity and suggests that the costs therefore be absorbed from the regular appropriation of $24,750,000.

CHAPTER III

Subcommittee: GORDON CANFIELD, New Jersey, chairman; EARL WILSON, Indiana; BENJAMIN F. JAMES, Pennsylvania; CHARLES W. VURSELL, Illinois; J. J. VAUGHAN GARY, Virginia; OTTO E. PASSMAN, Louisiana; ALFRED D. SIEMINSKI, New Jersey.

Treasury Department

Internal Revenue Service

Salaries and expenses: The supplemental request for $9,750,000 contemplates the employment of additional revenue producing employees including some 800 revenue agents, 455 special agents, and 675 supporting personnel.

The regular appropriation act for this Service contemplated a reduction in the overall number of positions but provided funds for an increase of approximately 1,500 revenue producing personnel. During the past several months through reorganization and new planning the number of personnel in certain categories has been greatly reduced while the number of revenue agents has been increased by more than 3,000. (See the table on p. 472 of the hearings.) Since each agent produces in revenue many times his cost to the Service this is an excellent showing. Long-range plans contemplate the addition of approximately 1,000 new agents per year for the next several years until the force reaches a level where most of the more productive erroneous returns can be audited. The committee is pleased with the progress that has been made and compliments the Commissioner and the administrative officials of the Service for the forward-looking planning.

The committee recommends for appropriation $8,750,000, which is a reduction of $1 million from the amount requested. In suggesting this reduction the committee feels that the additional revenue agents provided for in the regular bill, plus the number to be recruited with the funds herein recommended, will enable the Service to move forward as rapidly as it reasonably should in recruiting and training additional agents and will enable it to tie the present program into the contemplated future program of increasing the number of new agents by some 1,000 per year. The funds provided in the Appropriation Act for 1955 plus the funds herein recommended should permit the employment of approximately 1,400 new agents during fiscal year 1955.

United States Secret Service

Salaries and expenses: The purpose of the supplemental request for $229,000, to be derived by transfer, is to provide increased protection of the President, the Vice President, and their families, and to provide additional agents and clerks to process and keep more current the steadily increasing number of bond and forgery and other cases under the jurisdiction of the Secret Service.

Of the 39 agents proposed to be recruited if the requested authorization is granted 11 will be utilized to augment the White House detail of agents to strengthen the security of the President, the Vice President, and their families, and to provide additional personnel for the Protective Research Section. In order that the Protective Research Section may render a desirable and effective service its work with respect to threatening, abusive, obscene, and other categories of communications must be examined immediately upon receipt of the communications and properly evaluated and processed. Testimony before the committee indicates that with the available personnel a thorough and complete processing of these cases has not been possible. As of May 1, 1954, a backlog of 1,000 cases was on hand.

The remaining 28 of the 39 agents requested are to be used in the investigation of claims arising as the result of forgery and alteration of Government checks and bonds. Testimony indicates that the backlog of cases in almost every category is increasing monthly and that if the request for the 28 additional agents for this work is granted there will still remain at the close of fiscal year 1955 an average backlog of 78 cases for each agent, whereas it is the opinion of the Service that the average backlog per agent should not be more than 15 cases.

The supplemental contains a request also for funds for 12 clerk-stenographers to increase the operating efficiency of field offices, and also some $77,500 for necessary incidental expenses of additional personnel including $48,400 for travel, $1,350 for other contractual services, $3,750 for supplies and materials, $14,000 for equipment, and $10,000 for the purchase of information and to pay informants for services looking toward the apprehension of criminals.

The committee in its report on the annual "Treasury Department Appropriation Act, 1955," Public Law 374, 83d Congress, approved May 28, 1954, in recommending the amount requested in the budget commented upon conditions within the Service and suggested that consideration be given such matters as above referred to before presenting budget requests for fiscal year 1956. The present request is in response to that suggestion.

In recommending the amount herein requested, which is to be derived by transfer, the committee again reiterates its purpose of providing every security and protection for the President, the Vice President and their families, and wishes to encourage the Secret Service in the performance of its other very important functions.

Salaries and Expenses, White House Police

The supplemental request for $62,000 for this appropriation, to be derived by transfer, would permit the reestablishment of essential posts which were discontinued as

the result of reductions in appropriations for fiscal year 1954. The committee recommends that the request, which contains an amount sufficient to employ 18 class 3 police privates for 9 months plus holiday pay, and $1,800 for uniforms, be approved in order that every precaution can be taken for adequate protection of the White House.

United States Coast Guard

Acquisition, construction, and improvements: The supplemental request to the Coast Guard in the amount of $4 million contains two specific requests, as follows:

1. $3,750,000 for the construction of eight 95-foot boats to patrol the entrances at 3 ports; and

2. $250,000 for the replacement of a portion of the wharf at the Coast Guard base at Ketchikan, Alaska.

The item for $3,750,000 concerns the port security program which was initiated in October 1950, for the purpose of preventing the introduction into the country of persons or things inimical to the welfare of the United States and to protect vital port facilities.

Ten ports around the perimeter of the United States are now patrolled, and under an executive plan it is proposed to extend such patrol to 6 additional ports. Craft for patrol functions at 3 of the 6 ports are being provided by redeployment of boats presently being used in the port security program, leaving a requirement for the 8 boats herein requested for the remaining 3 ports. There are no funds presently available in Coast Guard appropriations for this construction. Therefore if the Executive plan is to be augmented the additional patrol boats are necessary.

Recent construction costs of 95-foot patrol boats indicate that the funds requested plus some materials left over from recent construction, and anticipated savings, will provide the eight patrol boats necessary to complete the program. The committee was impressed by testimony indicating a careful husbanding of resources and efforts to secure the patrol boats at the least possible outlay of funds.

The second item of the request in the amount of $250,000 to replace a section of the Coast Guard wharf at Ketchikan, Alaska, is in support of the only repair and supply facility of the Coast Guard District that covers Alaska. It is the only facility in the district with the capability for servicing all aids to navigation. The district supply depot, the Captain of the Port office, the electronic repair shop, and the maintenance and repair detachment are consolidated on this base for economy of operation. The section of the wharf that has so badly deteriorated was built in 1942 during wartime when creosoted pressure-treated timber was unavailable. This resulted in the use of salts treated and untreated timber and pilings which has permitted deterioration to a point that it is unsafe and prohibits the transfer of heavy equipment from ship to shore and seriously reduces the capacity of the base to service heavy buoys for the Alaskan area. Members of the committee who have visited the base concur in the report that the wharf was in bad condition as far back as 1950.

In view of the circumstances the committee recommends the appropriation of the $4 million requested for the purposes above discusseed.

Retired pay: The request for an additional amount of $80,000 (to be derived by transfer) for retired pay for Coast Guard warrant officers results from the enactment of Public Law 379, 83d Congress, approved May 29, 1954, which provides, in effect, that an increased number of warrant officers be placed on the retired list during fiscal year 1955. The language recommended permits absorption of the cost by transfer of the necessary amount from the appropriation to the Coast Guard for "Operating expenses, 1955."

CHAPTER IV

Subcommittee: FRED E. BUSBEY, Illinois, chairman; HAMER H. BUDGE, Idaho, acting chairman; BEN F. JENSEN, Iowa; ERRETT P. SCRIVNER, Kansas; temporarily assigned; JOHN E. FOGARTY, Rhode Island; ANTONIO M. FERNANDEZ, New Mexico.

Department of Labor

Bureau of Veterans' Reemployment Rights

Salaries and expenses: The committee denied the request for an additional $119,000. During the recent hearings on the regular budget request for this Bureau's funds for fiscal year 1955, the committee was told of the Bureau's gradually increasing backlog of work. In view of the facts presented at that time the committee and subsequently the Congress allowed the full amount of the budget request. Basically, the same justification was presented for the supplemental. The committee was not able to determine that any new factors have arisen that would indicate that the appropriation just made should be revised.

Bureau of Employment Security

Salaries and expenses: The committee denied the request for an additional $90,000. Most of the workloads upon which this request was based were foreseeable and considered at the time of action on the regular appropriation for 1955. The committee believes that any part not so considered can be absorbed within the appropriation of $4,705,000 already made.

Grants to States for unemployment compensation and employment service administration: The bill includes $4,600,000 of the $43 million requested and provides that this amount be available for workload increases and for increases in State salaries resulting from overall changes in State salary schedules. Payments for salary increases shall be limited to those increases which affect generally all employees of the State. This is in line with the recommendation of the Department. For the most part, the request was based on increased workload. The committee therefore sought a reconciliation of the workload and administrative costs for 1950, the postwar year of highest unemployment, with the workload and cost estimates for 1955. It was determined that the average actual insured unemployment during 1950 was 2,033,100 and the revised estimate for 1955 is for an average of 1,680,000. The appropriation for 1950 was $174 million and the request for 1955 totals $259,400,000, including the supplemental request for $43 million. Thus, with insured unemployment estimated to be 17 percent less, the request for administrative funds is 49 percent more. Considerable time was spent in attempting to determine why there should be this discrepancy. The witnesses steadfastly maintained that it was due to increased salary rates and increases in nonpersonnel costs such as rents. However, a more detailed breakdown, requested to be submitted for the record, revealed that the 1955 estimates would also provide for 3,400 more employees than were used for this work in 1950.

The action of the committee coupled with the appropriation already made for 1955 will provide a base appropriation of $200 million, which is the same as the amount expended during 1954, and a contingency fund of $21 million for workload increases in 1955 over those experienced in 1954. The committee is confident that the amount will be sufficient to adequately provide for any increases that can logically be anticipated in fiscal year 1955. In the unlikely event that the contingency fund is depleted before the end of the fiscal year the committee will expect to give favorable consideration to a supplemental request.

The language in this paragraph of the bill changes the restrictions on the use of the contingency fund, provided in the 1955 Department of Labor Appropriation Act, to allow the use of these funds for State salary increases resulting from changes in overall State compensation plans.

Unemployment compensation for veterans: The committee has allowed the full amount of $88,400,000 requested for this purpose. The expenditure of these funds is almost entirely beyond administrative control and the committee has, as it has in the past, accepted the estimates of those in the best position to estimate the extent of the need. The committee regrets that this is apparently the best alternative, for it has proven a very poor one. The request that was justified in March was for $55,600,000 for the full 1955 fiscal year. This amount was allowed in full. In July the estimate was revised to a total of $144 million. It is obvious that the original submission was grossly in error.

Salaries and expenses, Mexican farm-labor program: The committee denied the request for an additional $350,000 to recruit additional Mexican farm laborers estimated to be required because of intensified activities of the Immigration and Naturalization Service to deport Mexicans illegally in the United States. The committee was somewhat surprised to find that the major portion of the request was not for recruiting but for other activities such as compliance work, and that the request included funds to increase the Washington staff by 25 percent. The Congress was rather generous in allowing $60,000 more than the original 1955 budget request, for nonreimbursable activities. Any increase in workload that may occur can be provided for by adjustments within the $1,581,000 already appropriated.

Bureau of Labor Statistics

Salaries and expenses: The committee denied the request for $110,000 for increased emphasis on building statistics. No factors were presented to indicate any greater need for increasing this activity that did not exist at the time the original 1955 budget was considered. That budget contained $301,881 for this activity, which is the same amount that is available under the 1955 appropriation already made to the Bureau.

Department of Health, Education, and Welfare

Office of Education

Three separate items falling in the field of research into the problems of education were submitted. The largest was $1,750,000 for a White House Conference on Education, another (which technically would come under the Secretary's office) was $175,000 for the establishment of a National Advisory Committee on Education, and the third was $100,000 for cooperative research in education. No funds are included in the bill for any of these. The Office of Education has, for many years, been justifying the requests for appropriations to cover its own salaries and expenses on the basis that it does essentially the same research and fact-and-opinion gathering in the education field that is envisioned by the three activities for which $2,025,000 additional was requested. The fact that the committee recommends some $3 million per year to be appropriated to the Office of Education is evidence that it believes that a reasonable amount of such activity is needed.

It is worthy of note that 75 percent of the supplemental funds requested were for grants to States to enable them "* * * to hold conferences of educators and lay citizens to discuss educational problems and make recommendations for appropriate action to be taken at local, State, and Federal levels." This method of financing activities purely within State boundaries appears questionable, to say the least.

Public Health Service

Grants for hospital construction, and surveys, and planning for hospital construction: The committee has not allowed the $35 million requested for construction under the new provisions of this program which have been provided by legislation enacted only a few days ago. The hearings revealed that plans for the expenditure of these funds, the ability or willingness of the States to approve projects on the basis of the tentative program presented to the committee, and the availability of sponsors for the program presented, were all very vague. The importance of a survey and preparation of a plan for each State was emphasized in the testimony. The committee agrees completely that this is very important to the successful carrying out of a program involving the expenditure of over $100 million of the Federal funds and has approved in full the request for $2 million for grants to States for this work.

The committee's action does not indicate lack of sympathy with the new program but rather a belief that it might easily be done more harm than good by proceeding before any but the most sketchy plans are available.

Salaries and expenses, hospital construction service: None of the requested increase of $400,000 has been allowed. The committee believes that the $850,000 appropriated in the 1955 appropriation act provides sufficient funds to enable this division to administer the established program and prepare for the new features that were recently added by the amendments to the Hospital Survey and Construction Act.

Social Security Administration

Salaries and expenses, Bureau of Old-Age and Survivors Insurance: The committee expressly denies the requested authority to use funds from the OASI Trust Fund to pay per diem to the 450 employees proposed to be moved to Washington from Baltimore and seriously questions the advisability of such a move.

Construction, Bureau of Old-Age and Survivors Insurance: The Bureau requested $24,890,000 for the construction of a building to house its activities now located in several different buildings in Baltimore and Pennsylvania. The committee has not provided funds since it was testified that final plans and specifications will not be completed until June 1955 and the bids will not likely be opened until August 1, 1955. More than ample funds have already been provided to do all necessary work up to the point of awarding the construction contract. The committee recognizes the need for this building and will expect the 1956 budget to include provision for an authorization to cover the costs of construction. The committee approves of plans for the conventional, fireproof facility described during the hearings and estimated to cost not to exceed $25,370,000 in total. The committee specifically disapproves of the additional special design and construction features aimed at providing bomb protection, estimated to cost $2,600,000; and directs that the plans not provide the same.

Salaries and expenses, Children's Bureau: The committe has not allowed the request for $165,000 for additional activities in the field of juvenile delinquency. The Children's Bureau has for many years had ample authority to proceed in this field, and the committee notes that of the 1954 appropriation to the Bureau of $1,525,000, providing for 214 man-years of employment, the Bureau saw fit to utilize only 5½ man-years in the field of juvenile delinquency. The personnel now utilized in this activity could be quadrupled within the appropriation already made and still require only about 10 percent of the total Bureau funds. It is apparent from budget submissions that the executive branch has not decided whether increased activity in this field should be assigned to this Bureau or to other bureaus in other offices of the same Department.

Office of the Secretary

Salaries and expenses, Office of the Secretary: Since there were no new factors introduced in support of this request that were not known at the time the regular 1955 budget was presented to the committee, the request for $124,500 is denied. The committee believes that there may be certain functions not now carried on in the Secretary's Office which should be carried on at the departmental level and requests that this be given careful study for possible inclusion in the 1956 budget.

CHAPTER V

Subcommittee: H. CARL ANDERSEN, Minnesota, chairman; WALT HORAN, Washington; OAKLEY HUNTER, California; MELVIN R. LAIRD, Wisconsin; JAMIE L. WHITTEN, Mississippi; CLARENCE CANNON, Missouri; FRED MARSHALL, Minnesota.

Department of Agriculture

Forest Service

Forest roads and trails: The bill includes $6,500,000 for "Forest Roads and Trails" which, together with the amount carried in the regular bill, will provide the full authorization of $22½ million for this purpose for 1955. The committee is approving the full 1955 authorization with the understanding that all unused prior year authorizations will be considered canceled.

The additional funds are recommended to meet (1) the urgent need for access roads in southern Idaho, where epidemic insect infestations make necessary an immediate salvage program, and (2) the need for additional roads in California and other areas where overmature timber needs harvesting as soon as possible to protect its commercial value.

CHAPTER VI

Subcommittee: BEN F. JENSEN, Iowa, chairman; IVOR D. FENTON, Pennsylvania; HAMER H. BUDGE, Idaho; MICHAEL KIRWAN, Ohio; W. F. NORRELL, Arkansas.

Department of the Interior

Bureau of Indian Affairs

Health, education, and welfare services: The budget estimate of $1,180,000 has been allowed to provide 400 additional hospital beds in Washington State sanatoriums for Alaskan native tuberculosis patients. None of the funds allowed in this appropriation are to be used for hospitalization in Alaska.

Resources management: An appropriation of $100,000 is recommended for expediting probate work on Indian estates. While this is a reduction of $50,000 in the estimate of $150,000, it should permit a considerable reduction in the present backlog of probate cases.

Construction: The budget estimate of $6,900,000 has been reduced to $3,900,000 which is allowed for construction, repair, and maintenance of roads in Indian reservations. This amount together with the funds in the regular appropriation bill for 1955 will provide a total of $6,797,000 to meet contract earnings and other expenses on the approved program totaling $7,730,000. The amount appropriated herein and the amount appropriated in the regular bill are both applicable to the total authorization in the Federal-Aid Highway Act of 1954 under the provisions of section 6 of that act.

The $3 million which has been disallowed was for grants to public-school districts for the construction and equipping of public school facilities for Navaho Indian children from reservation areas not included in such districts. While the committee is most anxious to support all efforts to put as many Indian children into school as possible, it is of the opinion that there is no law under which such a program as that proposed can be undertaken.

Bureau of Reclamation

Construction and rehabilitation: The committee recommends an appropriation of $1,707,000, a reduction of $118,000 in the budget estimate of $1,825,000. The funds provided are for four small irrigation projects as follows:

Hanover-Bluff unit, Wyoming	$157,000
Heart Butte unit, North Dakota	300,000
Helena Valley unit, Montana	250,000
Sargent unit, Nebraska	1,000,000
Total	1,707,000

Rehabilitation work on the Humbolt project in Nevada, estimated at $118,000, was provided for in the regular bill for 1955.

The funds provided for the Hanover-Bluff unit were proposed in the estimate for use only on the Bluff portion of the unit. Both portions of the unit are to be served by a common diversion canal and if they are undertaken simultaneously economic feasibility is improved. Therefore, the funds provided are to be used for plans and construction of the complete unit.

The committee approves an expenditure of not to exceed $15,000 of available funds to complete investigations on the N-Bar-N development as a separate unit of the Missouri River Basin project in view of the fact that an irrigation district has been formed by the water users.

Bureau of Mines

Construction: The recommended appropriation of $5 million represents a reduction of $1 million in the budget estimate. These funds are to be used for the construction of helium production facilities at either Excell, Tex., or in the Keyes gas field of Cimarron County, Okla., depending upon which location provides greatest benefits to the Government. The committee fails to see the need for the large number of additional employees proposed in connection with this construction which is to be contracted.

The prices charged for helium sold by the Federal Government are calculated to recover capital charges, including interest.

Language has been included in the bill to rescind $19,000 of unobligated funds appropriated in previous years for the Leadville Tunnel drainage project in Colorado.

National Park Service

Construction: An appropriation of $5,562,101 is recommended. Of this amount $500,000 is for acquiring privately owned lands within the boundaries of areas administered by the Park Service, and $5,602,101 is for construction of parkways, roads, and trails. This later amount together with funds allowed in the regular bill for 1955 for the same purposes will provide a total of $9,500,000, the full amount of cash requested to meet 1955 contract earnings and other expenses on the authorized and approved program of $20 million. The amount appropriated herein and the amount appropriated in the regular bill are both applicable to the total authorization in the Federal-Aid Highway Act of 1954 under the provisions of section 6 of that act.

With this appropriation, there will be a considerable increase in the general level of the Park Service construction program. The committee expects the Department to take this into account in preparation of the 1956 budget. It is the committee's desire also that the need for reconstruction of the south approach road, Route 9, into Yellowstone Park, be given careful consideration in connection with the 1956 construction program.

In connection with both appropriated and donated funds available for acquisition of lands within the boundaries of areas administered by the Park Service, no land is to be taken through the condemnation procedure

when the use of such procedure is objected to by the owner.

Office of Territories

Administration of Territories: The estimate of $47,000 is recommended. These funds are required for the payment of a 25 percent cost of living allowance to classified employees in the Virgin Islands in accordance with regulations established by the Civil Service Commission on April 3, 1954.

CHAPTER VII

Subcommittee: JOHN PHILLIPS, California, chairman; NORRIS COTTON, New Hampshire; CHARLES R. JONAS, North Carolina; OTTO KRUEGER, North Dakota; ALBERT THOMAS, Texas; GEORGE W. ANDREWS, Alabama; SIDNEY R. YATES, Illinois.

Independent Offices

Commission on Intergovernmental Relations

The bill includes $414,000 for salaries and expenses of this Commission, which is $46,000 below the estimate, and together with the unobligated balance of $96,250 will provide a total of $510,250 during the remaining 8 months the Commission will be in existence.

The Commission was established by Public Law 109, approved July 10, 1953, and the original date for making its final report was March 1, 1954. When it became evident that it would not be possible to complete the studies in this broad field on schedule the date for filing the final report and liquidating the Commission was extended to March 1, 1955, in Public Law 302, approved March 1, 1954.

Because of the extension of time for making its report, the original appropriation of $500,000 will not be sufficient and the committee therefore recommends a supplemental appropriation of $414,000. The coordination of effort already contemplated between this agency and other commissions and congressional committees should make it possible to save the amount indicated.

Commission on Organization of the Executive Branch of the Government

The bill contains an additional $497,835 to complete the activities of the Commission, which is a reduction of $55,315 in the estimate. There has been appropriated previously $1,931,909, making the total for the present Commission $2,429,744. The first Hoover Commission was able to complete its work with a total appropriation of $1,938,600, and the committee is of the opinion maximum results can be obtained by this Commission within the amount provided. The committee is aware of the popularity of this program and is in complete accord with its purposes, but believes that economies can be accomplished and efforts made to coordinate the studies of this Commission and other agencies and committees to the extent of the reduction indicated.

General Services Administration

Additional court facilities: The committee considered a budget estimate of $4,800,000 for additional court facilities for the new judges recently authorized by law to be appointed to the Federal bench, and has approved $3 million for such purposes, or a reduction of $1,800,000 in the estimate.

The committee has the utmost regard for the needs of the other separate and equal branch of the Government, but it cannot approve the present estimates of cost which are clearly high and has reduced the total to what it considers is actually needed. The committee believes that justice will be dispensed in this Nation as well from a chair costing the Government $100 as from one costing $174, and as well from behind a $200 desk as one for $341. A wastepaper basket at a lesser cost than $15 will serve just as well.

It is suggested that prior to starting this program for additional court facilities an effort be made to determine the actual desires of the judges and make the costs more reasonable than those just considered.

Operating expenses, Federal Supply Service: The committee has allowed the budget estimate of $60,000 to enable the General Services Administration to establish interagency motor pools at 5 locations during the fiscal year 1955 if legislation contained in H. R. 8753 or S. 3155 authorizing such pools is enacted into law. It was testified that if such pools are created approximately 20 percent of the present number of vehicles will no longer be required and the savings resulting from reductions in maintenance, administration and other costs are expected to be $1,500,000 per year after the first 3 years of operation.

Expenses, general supply fund: The bill contains language authorizing the General Services Administration to lease warehouse space temporarily in excess of operating requirements to commercial organizations, and that proceeds from such rentals shall be covered into the Treasury as miscellaneous receipts.

Strategic and critical materials: The bill contains the budget estimate of $380 million for this item and the same limitation as contained in the regular bill that no part of the amount shall be used for construction of warehouse or tank storage facilities. Approximately $292 million of the supplemental request is, in effect, a bookkeeping transaction to purchase inventory from the Defense Production Act borrowing authority program which was started in 1950, and such transfers have no effect on net expenditures of the Government. The value of the stockpile on hand or on order on June 30, 1954, is estimated at $5,452.3 million, under the revised estimates the Government will add materials valued at $579.2 million this fiscal year, and a balance of $1,313.6 million will remain to be financed after 1955.

National Science Foundation

International Geophysical Year: The bill contains $1,500,000 to assist in financing the United States program for the International Geophysical Year, which is a reduction of $1 million below the amount contained in the supplemental estimate. The committee is of the opinion the amount recommended is adequate, but in the event the National Science Foundation considers this program of such importance that it may desire to provide an additional grant of not to exceed $1 million from its regular funds, the committee is of the opinion the Foundation has sufficient funds to do so and that the language of its basic act is of sufficient scope as to permit such a grant.

The International Geophysical Year is a worldwide scientific undertaking involving concurrent research in geophysics by some 30 nations, beginning in 1957. It involves studies of the entire earth including the arctic regions, the oceans and the upper atmosphere. The appropriation at this time will enable orders to be placed for specialized equipment, and an additional sum will be needed for the fiscal year 1956 to cover the remaining costs of the program.

St. Lawrence Seaway Development Corporation

The bill contains language authorizing the Corporation to initiate operations under the provisions of Public Law 358, approved May 13, 1954. The Corporation has authority to issue not to exceed $10,500,000 worth of revenue bonds to the Secretary of the Treasury during its first year, and thereafter up to a total of $105 million. In view of the fact that the Budget language contained no limitation on the amount of money that could be spent for administrative expenses of the Corporation, the Committee has limited the amount that can be spent for this purpose to $250,000. It has been proposed that authority be included for the employment of a total of four persons in grades GS–16 to 18 to enable employment of the best qualified personnel in key positions of the Corporation, and such language has been included.

Veterans' Administration

Inpatient care: The committee has included in the bill the Budget estimate of $3 million for this item which is in addition to $598,127,000 included in the regular bill. Congress relies on the agency to indicate the number of beds that can be staffed and operated and has always provided the full amount required.

Recently it has developed that the Veterans' Administration has staffed hospitals in 1954 over the level authorized by the appropriations and it would be necessary to make some reductions in such personnel and delay staffing of neuropsychiatric beds in 1955 which are badly needed unless the additional $3 million is made available. This information was not given to the committee during the regular hearings and to do everything within its power to correct the situation the committee has included the entire amount of the supplemental estimate.

It is disturbing to note that there are neuropsychiatric hospitals where according to testimony the cost is running in the neighborhood of $34 per patient day, which no private hospital administrator would tolerate. A neuropsychiatric hospital usually operates 25 percent cheaper than a general medical and surgical hospital and it is recommended that a thorough investigation be made by the Veterans' Administration to correct such conditions and to bring about more efficient operations.

No part of the present estimate is needed to provide care for any service-connected disability, but is exclusively for non-service-connected treatment.

War Claims Commission

In order to complete adjudication of all war claims on schedule an additional $400,000 is requested for administrative expenses, and the bill includes the full amount. The Commission has remaining a backlog of the most difficult claims, and at least an additional 47,000 claims are expected to be filed under authority of Public Law 359, approved May 13, 1954, which extended the date for filing claims to August 1, 1954.

Under the provisions of Reorganization Plan No. 1 of 1954 functions and funds available or to be made available to the War Claims Commission were transferred to a new agency on July 1, the Foreign Claims Settlement Commission of the United States. Since the committee is allowing the full budget estimate for this item, and regardless of the transfer of activities to the new agency, the committee is expecting all work on war claims to be completed on schedule on March 31, 1955, and no further request for funds should be made.

CHAPTER VIII

Subcommittee: GLENN R. DAVIS, chairman; T. MILLET HAND, New Jersey; ELFORD A. CEDERBERG, Michigan; JOHN TABER, New York; CLARENCE CANNON, Missouri; LOUIS C. RABAUT, Michigan; JOHN J. RILEY, South Carolina.

Military construction

The Department of Defense requested approval of a military public works program of $1,427,622,000 for fiscal year 1955 and new appropriations of $1,100 million. The committee recommends a program of $1,235,958,000, a reduction of $191,664,000. New appropriations of $571,600,000 are recommended, a reduction of $528,400,000. These funds when coupled with existing unobligated balances from prior years public works programs, which the committee has made available, will be sufficient to meet the needs of the military construction program for the current fiscal year. The action of

the committee on the specfic requests will be found in subsequent paragraphs and in the table at the end of this chapter.

Military Public Works Program

The committee was gratified to note the progress made in the proper utilization of advance planning funds, particularly in the Department of the Air Force, which resulted in the estimates submitted for the 1955 program being firmer than any received in prior years. There are, however, several deficiencies existing in this field which warrant the immediate attention of the Department of Defense and the Assistant Secretary of Defense for Properties and Installations. There has always been a need for review of the cost and scope of those facilities which have functions common to more than one service. That this review has not been properly carried out in the past is obvious when one seeks to explain why a fire station should cost approximately $12 per square foot for the Air Force and be budgeted for an amount in excess of $18 per square foot by the Navy. The committee is also at a loss to understand why parachute shops can be constructed for approximately $16 per square foot by the Air Force while the Navy requests in excess of $21 per square foot for these shops. Similar cost differentials appear to exist in the construction of certain fuel storage facilities and ammunition and ordnance magazines. The attention of the Department is called to the situation existing with reference to the construction of barracks at Ladd Air Force Base in Alaska. The Department of the Air Force has under contract at the present time barracks with mess facilities at these locations at costs varying between $2,876 per man to $3,016 per man. The Department of the Army submitted budget requests for barracks for this installation at a cost of $3,900 per man. The committee desires that the Department of Defense thoroughly study this problem of common type facilities and file a report thereon with the committee not later than January 3, 1955.

There is also a need for a continuing review by the Department of Defense and the three services as to the design of repetitive type structures. A recent experience of the Department of the Navy in this respect points out the need for such a constant review. The so-called Miramar hangar was adopted by the Navy as the standard type of overhaul hangar for naval air stations. Continuing reviews of the design and construction of this hangar have resulted in modifications which have reduced the unit cost in excess of $4 per square foot. The committee will expect the services to maintain a continuing inspection of the design of their facilities so that maximum utilization is made of funds appropriated for military construction.

The estimates for fiscal year 1955 represent the initiation of two features of the military construction program which have not been present to any extent in recent years. The first of these has to do with the construction of welfare and recreational facilities. The committee was not satisfied that the estimates presented to it in support of these requests were based on adequate advance planning. On the contrary, it appeared that in most instances the facilities were too costly for the proposed utilization of the structures. The unit costs of gymnasiums contained in the program were particularly high. Past experiences in both Government and private construction lead the committee to believe that permanent gymnasiums can be constructed for approximately $16 per square foot, while semipermanent gynasiums can be properly built for $14 per square foot. In allocating funds for gym facilities at the various installations the committee has used these cost factors and expects that the Department of Defense will have these limitations in mind in designing standard gymnasiums. It will be expected that the Departments will adhere to the same austere standards of construction on welfare and recreational facilities which have been typical of the construction program in the past. In this respect, the committee points out to the Department of Defense the desirability of standard facilities of this type for the three services.

The 1955 program also contains the initiation of a program for providing vehicle parking areas at many of the large installations. Generally the committee has approved these requests. It desires, however, that the departments carefully monitor this feature of the construction program, and it will be expected that requests for parking areas, for other than military vehicles, will be held to the minimum.

The necessary expansion of industrial and aviation facilities of the Department of Defense is creating a problem which requires immediate and continuing attention. Necessary expansion of most of the other installations can be made only at great expense, in many instances necessitated by the purchase of valuable commercial and residential land from private interests. The only alternatives to these expansions are the construction of similar facilities elsewhere or a reduction of the functions of the particular installations. While these alternatives appear to be costly and undesirable they must be considered in connection with any future plans for our military forces.

The conversion of the Air Force to the use of jet-type planes has created another problem, especially as to the use of municipal airports in close proximity to populated areas. At present the use of such fields is vital to the proper air defense of the Nation. If their use is to jeopardize either Air Force personnel or the surrounding communities or is to prohibit the expansion of commercial flying activities, consideration should be given to the establishment of new facilities in the same general area. The need for a review of the continued utilization of such fields is most apparent when one realizes the projected increase of flying activities in the future. It is desired that the Department of Defense, together with the three services, thoroughly study these problems, filing the results of such a study with the proper committees of Congress early in the next Congress and prior to the consideration of the military construction program for fiscal year 1956.

The action of the committee is generally predicated on several criteria: First, maximum use should be made of existing unobligated and unexpended balances prior to the appropriation of additional funds; second, construction on defense installations should continue to be on austerity standards; third, the limitations on the construction of barracks, bachelor officer quarters, warehousing facilities, and cold-storage plants should be continued at the same unit cost as have been used in the past.

Department of the Navy

The budget estimates received by the committee requested approval of a Navy public-works program in the amount of $221,470,000 and appropriations of $140 million. The committee recommends a program of $196,013,000, a reduction of $25,457,000. Appropriations of $73,517,000 are recommended, a reduction of $66,483,000. The unobligated balance of funds previously appropriated for public works, Navy, was estimated to be $300 million of June 30, 1954. These funds, when coupled with the appropriations contained in this bill, will be sufficient to meet the needs of the construction program of the Navy in fiscal year 1955 and will provide a satisfactory carryover of funds into the following fiscal year.

Committee Recommendations

The funds approved for the Department of the Navy have been allocated in the following manner:

CONTINENTAL

Shipyard facilities:	
Naval Shipyard, Boston, Mass.	$3,400,000
Naval Shipyard, Charleston, S. C.	555,000
Minecraft Station, Panama City, Fla.	1,254,000
Naval Shipyard, San Francisco, Calif.	1,091,000
Fleet facilities:	
Morehead City, N. C.	710,000
Submarine Base, New London, Conn.	476,000
Minecraft Base, Charleston, S. C.	158,000
Aviation facilities:	
Naval Air Station, Alameda, Calif.	4,463,000
Naval Auxiliary Landing Field, Alice, Tex.	151,000
Naval Air Station, Atlantic City, N. J.	779,000
Marine Corps Auxiliary Air Station, Beaufort, S. C.	10,776,000
Naval Air Station, Brunswick, Maine	527,000
Naval Air Station, Cecil Field, Fla.	863,000
Naval Auxiliary Air Station, Chase Field, Tex.	241,000
Marine Corps Air Station, Cherry Point, N. C.	1,609,000
Naval Air Station, Corpus Christi, Tex.	342,000
Naval Auxiliary Air Station, Corry Field, Fla.	2,153,000
Marine Corps Air Station, El Toro, Calif.	1,675,000
Naval Auxiliary Air Station, Fallon, Nev.	468,000
Naval Air Station, Glenview, Ill.	70,000
Naval Auxiliary Air Station, Glynco, Ga.	6,185,000
Naval Auxiliary Air Station, Kingsville, Tex.	601,000
Naval Air Facility, Litchfield, Park, Ariz.	1,654,000
Naval Air Landing Field, Mayport, Fla.	75,000
Naval Air Station, Miramar, Calif.	3,331,000
Naval Air Station, Moffett Field, Calif.	1,336,000
Marine Corps Auxiliary Air Station, Mojave, Calif.	160,000
Marine Corps Air Facility, New River, N. C.	972,000
Naval Air Station, Norfolk, Va.	628,000
Naval Air Station, Oceana, Va.	4,106,000
Naval Air Station, Pensacola, Fla.	1,533,000
Naval Air Missile Test Center, Point Mugu, Calif.	1,030,000
Naval Air Station, Quonset Point, R. I.	579,000
Naval Air Station, San Diego, Calif.	1,157,000
Padre Island, Tex.	80,000
Naval Air Turbine Test Station, Trenton, N. J.	5,209,000
Naval Air Station, Whidbey Island, Wash.	4,197,000
Classified locations	2,666,000
Supply facilities:	
Naval Supply Center, Norfolk, Va.	653,000
Naval Supply Center, Oakland, Calif.	3,051,000
Marine Corps facilities:	
Depot of Supplies, Albany, Ga.	452,000
Camp Lejeune, N. C.	749,000
Recruit Depot, Parris Island, S. C.	737,000

CONTINENTAL—continued

Marine Corps facilities—Con.	
Marine Corps School, Quantico, Va	$585,000
Recruit Depot, San Diego, Calif	82,000
Ordnance facilities:	
Naval Ammunition Depot, Charleston, S. C	671,000
Naval Proving Ground, Dahlgren, Va	212,000
Naval Ammunition Depot, Earle, N. J	73,000
Naval Ammunition Depot, Hawthorne, Nev	308,000
Naval Ordnance Plant, Indianapolis, Ind	1,183,000
Naval Powder Factory, Indian Head, Md	345,000
Naval Depot, Melville, R. I	380,000
Naval Magazine, Port Chicago, Calif	519,000
Naval Ordnance Laboratory, White Oaks, Md	361,000
Naval Mine Depot, Yorktown, Va	480,000
Classified location	2,345,000
Service school facilities:	
Naval Amphibious, Coronado, Calif	1,444,000
Naval Postgraduate School, Monterey, Calif	332,000
Fleet Air Defenses and CIC Training Center, Point Loma, Calif	340,000
Medical facilities:	
Naval Hospital, Norfolk area, Virginia	12,582,000
Naval Hospital, St. Albans, Long Island, N. Y	245,000
Naval Hospital, San Diego, Calif	750,000
Office of Naval Research facilities:	
Naval Research Laboratory, Washington, D. C	996,000
Yards and Docks facilities:	
Construction Battalion Center, Port Hueneme, Calif	3,384,000
San Bruno, Calif	750,000
Marine Corps Training Center, Twentynine Palms, Calif	14,000
Advance planning	2,500,000
Correction of deficiencies, continental	1,500,000
Total, continental	105,289,000

OVERSEAS

Fleet facilities:	
Naval Station, Subic Bay, Philippine Islands	$6,550,000
Classified location	4,639,000
Aviation facilities:	
Naval Air Facility, Cubi Point, Philippine Islands	4,992,000
Naval Air Station, Guantanamo Bay, Cuba	230,000
Naval Air Station, Iwakuni, Japan	1,670,000
Naval Air Station, Kodiak, Alaska	719,000
Naval Station, Kwajalein, Marshall Islands	990,000
Classified locations	6,225,000
Classified location	21,431,000
Supply facilities:	
Naval Station, Subic Bay, Philippine Islands	5,956,000
Classified location	17,200,000
Classified locations	8,452,000
Ordnance facilities: Classified location	400,000
Communications facilities: Naval Communication Facility, Philippine Islands	6,520,000
Yards and docks facilities:	
Correction of deficiencies, overseas	750,000

OVERSEAS—continued

Yards and docks facilities—Con.	
Replacement of temporary housing	$4,000,000
Total, overseas	90,724,000
Total, Navy	196,013,000

Generally these allocations are based upon application of previously mentioned criteria to the budget requests. The committee desires, however, to point out the necessity for reductions at several of the installations.

The committee has denied the request of $225,000 for the acquisition of the San Francisco and Napa Valley Railroad serving the Naval Shipyard, Mare Island, Calif. It would appear from the testimony that the Navy desires the requested funds to increase their bargaining position with reference to the rail transportation problem at this installation rather than for the immediate acquisition of the railroad. The committee disapproves the use of funds for this purpose.

The request for a pipefitter shop at the Naval Shipyard, San Francisco, Calif., has been denied. The shop contemplated by the estimates is considerably in excess of any similar facilities which have existed or are now in use at this base. It is desired that the Navy restudy the need for this shop, both as to size and unit cost.

The allocation of $452,000 at the Marine Corps Depot of Supplies, Albany, Ga., is sufficient to provide the requested second increment of the maintenance shops at this installation and the necessary security facilities.

The Department of the Navy requested $288,000 for the construction of temporary classroom buildings at the Marine Corps Recruit Depot, Parris Island, S. C. The committee questions the economy of constructing temporary classrooms at this permanent installation, and desires that the Department restudy this item with a view toward providing permanent classrooms if they are needed to carry on the mission of this depot.

The need for additional physical training facilities at the Naval Academy, Annapolis, Md., is recognized by the committee. The additional gymnasium facility requested in the amount of $5,680,000, however, appears to be excessive in both scope and cost. It is desired that the Department more thoroughly examine the needs of the Academy in this respect and present the results thereof to the committee for its consideration in the next Congress.

The committee has denied the request for funds for certain housing and subsistence facilities at the Naval Training Center, Great Lakes, Ill. In this connection it is noted that the Senate denied the request for authorization of $3,900,000 for barracks and subsistence buildings. All pending requests for construction at Great Lakes are based on the centralization of certain training facilities at that location. It would appear that the Senate questions the desirability of this program, therefore, this committee has deleted all related facilities. It is apparent that the Navy has not adequately justified its plan for consolidation of presently existing facilities at Great Lakes.

The allocations for advance planning and correction of deficiencies, both in the continental United States and overseas, when coupled with unobligated balances remaining in these funds will provide for the continuation of orderly programs similar to those carried on in past years.

The committee has previously stated its desire for a review of facilities which are common both to the Department of the Navy and the other services. This is particularly true with reference to aviation facilities. The cost estimates presented to the committee by the Department on these type facilities were in any instances considerably higher than similar costs in the Air Force. With this restudy in mind the committee has deleted requests for certain common type facilities. At Naval Air Station, Cecil Field, Fla., the parachute building and ordnance facilities have been denied. Fuel storage facilities at the Naval Auxiliary Air Station, Glynco, Ga., at the Naval Auxiliary Air Station, Kingsville, Tex., and the Marine Corps Auxiliary Air Station, Beaufort, S. C., have also been deleted. Fire and crash stations at the Naval Air Station, Brunswick, Maine, Naval Auxiliary Landing Field, Crows Landing, Calif., the Naval Auxiliary Air Station, Fallon, Nev., Naval Air Facility, Cubi Point, Philippine Islands, and the Naval Air Missile Test Center, Point Mugu, Calif., have been denied. The ammunition storage facilities at the Naval Air Facility, Cubi Point, Philippine Islands, and the Naval Auxiliary Air Station, El Centro., Calif., have been denied for the same reason.

Department of the Air Force

The committee recommends a program of $834,080,000 for the Department of the Air Force, a reduction of $111,917,000, and new appropriations $484,080,000, a reduction of $461,917,000 in the request for new funds. In addition, the committee recommends the application of unobligated balances from prior years of $350 million to the construction program set forth in this report. On June 30, 1954, the unobligated balance of construction funds previously appropriated to the Air Force was approximately $1.2 billion. These balances together with the new appropriation will be sufficient to meet the needs of the military construction program in fiscal year 1955 and will provide a satisfactory carryover of funds into the next fiscal year.

Committee Recommendations

Listed below is a table showing the amounts allocated to the installations in the continental United States and the various overseas commands.

CONTINENTAL

Air Defense Command:	
Atlantic City, N. J	$72,000
Minot AFB, N. Dak	6,436,000
Burlington MAP, Vt	1,010,000
Duluth MAP, Minn	2,113,000
Ent AFB, Colo	124,000
Grand Forks AFB, N. Dak	6,280,000
Geiger Field, Wash	150,000
Glasgow APT, Mont	8,038,000
Grandview AFB, Mo	1,489,000
Greater Pittsburgh APT, Pa	232,000
Hamilton AFB, Calif	1,000,000
K. I. Sawyer MAP, Mich	8,496,000
Kinross AFB, Mich	926,000
Klamath Falls MAP, Oreg	4,127,000
McChord AFB, Wash	1,561,000
McGhee-Tyson MAP, Tenn	130,000
Minneapolis-St. Paul MAP, Minn	2,129,000
Nantucket, Mass	107,000
New Castle County MAP, Del	677,000
Niagara Falls MAP, N. Y	262,000
O'Hare/Chicago MAP, Ill	228,000
Otis AFB, Mass	2,413,000
Oxnard AFB, Calif	490,000
Paine AFB, Wash	482,000
Pescadero, Calif	107,000
Point Conception, Calif	72,000
Presque Isle AFB, Maine	152,000
Selfridge AFB, Mich	718,000
Sioux City MAP, Iowa	4,000
Stewart AFB, N. Y	2,647,000
Suffolk County AFB, N. Y	1,348,000
Traverse City AFB, Mich	8,136,000
Truax/Madison FLD, Wisc	1,242,000
Wurtsmith AFB, Mich	2,383,000
Youngstown MAP, Ohio	687,000
Yuma County APT, Ariz	2,127,000
Air Materiel Command:	
Birmingham AFB, Ala	78,000
Brookley AFB, Ala	3,814,000
Gentile AF Depot, Ohio	489,000
Hill AFB, Utah	10,125,000

CONTINENTAL—continued

Air Materiel Command—Con.	
Kelly AFB, Tex	$12,193,000
Mallory AF Depot, Tenn	268,000
McClellan AFB, Calif	2,816,000
Norton AFB, Calif	4,303,000
USAF Petroleum Storage Depot No. 1, Calif	156,000
USAF Petroleum Storage Depot No. 2, Calif	737,000
Olmsted AFB, Pa	1,970,000
Robins AFB, Ga	14,645,000
Tinker AFB, Okla	6,159,000
Topeka AF Depot, Kans	86,000
Wright-Patterson AFB, Ohio	5,786,000
Air proving grounds: Eglin AFB, Fla	6,149,000
Air Training Command:	
Amarilla AFB, Tex	365,000
Bryan AFB, Tex	28,000
Chanute AFB, Ill	46,000
Craig AFB, Ala	138,000
Ellington AFB, Tex	1,073,000
Francis E. Warren AFB, Wyo	26,000
Gila Bend AF AUX, Ariz	791,000
Goodfellow AFB, Tex	15,000
Greenville AFB, Miss	813,000
Harlingen AFB, Tex	1,304,000
James Connally AFB, Tex	3,853,000
Keesler AFB, Miss	207,000
Laredo AFB, Tex	458,000
Laughlin AFB, Tex	255,000
Luke AFB, Ariz	861,000
Mather AFB, Calif	1,530,000
Moody AFB, Ga	339,000
Nellis AFB, Nev	1,930,000
Perrin AFB, Tex	1,940,000
Reese AFB, Tex	112,000
Scott AFB, Ill	934,000
Selma MAP, Ala	176,000
Sheppard AFB, Tex	32,000
Tyndall AFB, Fla	1,466,000
Vance AFB, Okla	138,000
Webb AFB, Tex	100,000
Wichita AFB, Kans	2,190,000
Williams AFB, Ariz	22,000
Air University: Maxwell AFB, Ala	1,347,000
CONAC/Regular:	
Beale AFB, Calif	192,000
Brooks AFB, Tex	757,000
Dobbins AFB, Ga	576,000
Mitchel AFB, N. Y	676,000
Wolters AFB, Tex	845,000
Conac/Reserve: Cleveland area, AFR, Ohio	4,000,000
Headquarters Command: Bolling AF, D. C	236,000
Military Air Transport:	
Andrews AFB, Md	1,890,000
Charleston AFB, S. C	7,250,000
McGuire AFB, N. J	4,638,000
Palm Beach International Airport, Fla	2,357,000
Research and Development:	
Arnold Engineering Development Center, Tenn	48,757,000
Edwards AFB, Calif	26,773,000
Griffiss AFB, N. Y	1,480,000
Griffiss Aux 2, N. Y	1,272,000
Griffiss Aux 3, N. Y	64,000
Hartford Research Facility, Conn	5,750,000
Holloman AFB, N. Mex	7,096,000
Kirtland AFB, N. Mex	3,249,000
Kirtland Subbase 1, Nev	243,000
Laur G. Hanscom AFB, Mass	6,553,000
Laur G. Hanscom Aux 1, Mass	61,000
Laur G. Hanscom Aux 2, N. Mex	114,000
Mount Washington Proj. Lab, N. Y	596,000
Patrick AFB, Fla	27,000
Patrick Aux 1	446,000
Patrick Aux 3	121,000
Patrick Aux 4	10,000
Patrick Aux 5	40,000
Patrick Aux 6	143,000
Patrick Aux 7	34,000
Patrick Aux 8	10,000
Patrick Aux 9	324,000

CONTINENTAL—continued

Strategic Air Command:	
Abilene AFB, Tex	$17,394,000
Altus AFB, Okla	15,761,000
Barksdale AFB, La	3,905,000
Bergstrom AFB, Tex	1,338,000
Biggs AFB, Tex	2,050,000
Campbell AFB, Ky	1,451,000
Carswell AFB, Tex	2,000,000
Castle AFB, Calif	9,581,000
Clinton-Sherman Airport, Okla	11,393,000
Columbus AFB, Miss	3,558,000
Davis-Monthan AFB, Ariz	2,881,000
Ellsworth AFB, S. Dak	6,991,000
Fairchild AFB, Wash	6,787,000
Forbes AFB, Kans	9,919,000
Gray AFB, Tex	465,000
Great Falls AFB, Mont	6,586,000
Homstead AFB, Fla	13,247,000
Hunter AFB, Ga	8,900,000
Lake Charles AFB, La	9,082,000
Limestone AFB, Maine	13,563,000
Lincoln AFB, Nebr	4,353,000
Little Rock AFB, Ark	11,917,000
Lockbourne AFB, Ohio	10,644,000
MacGill AFB, Fla	1,974,000
March AFB, Calif	8,734,000
Matagorda Island, Tex	607,000
Mountain Home AFB, Idaho	526,000
Offutt AFB, Nebr	1,628,000
Pinecastle AFB, Fla	4,176,000
Plattsburgh AFB, N. Y	16,784,000
Portsmouth AFB, N. H	13,653,000
Sedalia AFB, Mo	2,360,000
Smoky Hill AFB, Kans	7,540,000
Stead AFB, Nev	570,000
Travis AFB, Calif	7,772,000
Turner AFB, Ga	5,661,000
Walker AFB, N. Mex	4,087,000
Westover AFB, Mass	1,146,000
Tactical Air Command:	
Alexandria AFB, La	5,823,000
Ardmore AFB, Okla	486,000
Blytheville AFB, Ark	2,697,000
Bunker Hill AFB, Ind	2,679,000
Clovis AFB, N. Mex	2,748,000
Donaldson AFB, S. C	3,213,000
Eglin Auxiliary 9, Fla	1,462,000
Foster AFB, Tex	1,341,000
George AFB, Calif	5,102,000
Langley AFB, Va	2,534,000
Larson AFB, Wash	1,890,000
Myrtle Beach MAP, S. C	11,611,000
Pope AFB, N. C	1,950,000
Stewart AFB, Tenn	872,000
Seymour Johnson AFB, N. C	13,444,000
Shaw AFB, S. C	2,997,000
Air Academy, Colo	15,338,000
Various, Zone of Interior	1,040,000
Aircraft Control and Warning, continental	54,324,000
Total, continental	669,973,000

OVERSEAS

Alaskan Air Command	$12,870,000
Far Eastern Air Command	27,353,000
Military Air Transport	10,090,000
Northeastern Air Command	19,114,000
Strategic Air Command	2,386,000
USAFE, Middle East	31,578,000
USAFE, Spain	48,145,000
USAFE, United Kingdom	12,571,000
AC and W, overseas	5,000,000
Less reimbursement from sale French Morocco surplus materials	—5,000,000
Total, overseas	164,107,000
Total, Air Force	834,080,000

These allocations are generally based upon application of previously mentioned criteria to the budget estimates. The committee desires, however, to comment on reductions at several of the installations.

The committee is not convinced of the need for a gymnasium at Ent Air Force Base, Colorado Springs, Colo. It would appear that sufficient recreational facilities are presently available in the area to meet the needs of the base personnel.

At Kinross Air Force Base, Mich., it would seem to be proper to provide a multipurpose recreational building, with theater facilities, rather than the large expensive theater contemplated in the budget estimates.

Recent experiences have demonstrated that the costs of storage igloos at Truax/Madison Field, Wis., can be reduced below those presented to the committee.

The Air Force requested $1,495,000 for the relocation of certain buildings at Kelly Field, Tex. As a result of a survey requested by the committee it now appears that the necessary relocations can be accomplished for approximately $975,000. The committee is quite desirous that the Air Force carefully screen the buildings to be relocated at this base both as to their present condition and the actual need for them in the accomplishment of the permanent mission of this installation.

The request of $132,000 for railroad trackage at Topeka Air Force Depot, Kans., has been denied. Estimated savings resulting from this item are not sufficient to warrant its construction at the present time.

It is desired that the Air Force restudy the plans for housing and messing facilities at Gila Bend Auxiliary Field, Ariz., with a view toward providing only for the needs of the personnel stationed at the base. Sufficient funds have been included in the allocation to provide for such reduced facilities. The committee calls to the attention of the Air Force the desirability of providing both housing and messing facilities in one building at small installations of this type.

The committee has reduced the request for personnel facilities at Wichita Air Force Base, Kans., in the belief that a restudy of the present estimates for these structures, both as to size and cost, should result in considerable savings.

Funds were requested for construction of a joint Air Force-Navy Reserve facility in the vicinity of Cleveland, Ohio. Experience has shown that it is folly to appropriate large sums for construction until the site of the installation has been firmly established and proper advance planning accomplished on the individual line items. Since this has not been accomplished at this base, the $4 million allocated by the committee will be sufficient to provide for the necessary land acquisitions as well as to allow the award of contracts for portions of the airfield pavement requirements.

The committee fails to see the need for the replacement of dormitory and messing facilities at Kirtland Air Force Base, N. Mex., the hospital addition at Sedalia Air Force Base, Mo., or the gymnasium at Stead Air Force Base, Nev.

The funds requested for Auxiliary Field 11 of Patrick Air Force Base, Fla. have been denied. The committee will entertain requests for this installation when the site has been firmly established and the need more clearly demonstrated.

The personnel facilities requested at Pope Air Force Base, N. C. have been deleted. It is the committee's opinion that facilities of this type exist, either at this installation or at adjacent Fort Bragg, to meet the needs of the personnel.

The committee desires that the Air Force review the warehouse requested for the Mount Washington climatic project, New Hampshire. The need for the structure and the unit cost of $30 per square foot are both questionable.

At Plattsburg Air Force Base, N. Y., the committee has denied funds for a post exchange sales store and a hospital. Sufficient facilities exist to meet the needs of the base for a sales store. The hospital should be reviewed as to design, size, and cost with a

view toward providing the most economical structure cognizant with the needs of the installation.

The amount of $15,338,000 is made available for the initiation of construction of the Air Force Academy and for construction of the interim Academy at Lowry Air Force Base, Colo., with the specific limitation that the funds made available to the Air Force by the State of Colorado are to be used only for the purchase of land. The committee has reduced the request for land-acquisition funds by the $1 million presently contemplated to be received from the State for this purpose. Under no circumstances is the Department of the Air Force to acquire more than the presently contemplated 15,000 acres for this installation without prior clearance by this committee.

At Hickam Air Force Base, T. H., it appears that the cost of the contemplated restoration of certain barracks space is excessive and should be more thoroughly studied prior to the appropriation of funds.

The committee has denied requests in their entirety for bases on which construction has not been initiated or has been seriously retarded due to the inability of the Air Force to fulfill necessary land requirements. These bases are Portland International Airport, Oreg., Dover Air Force Base, Del., Dow Air Force Base, Maine, and Lawson Air Force Base, Ga.

Reductions have been made in the land acquisition costs at certain bases due to the donation of lands by local interests. These bases are North Dakota, Glasgow Air Force Base, Mont.; Traverse City Air Force Base, Mich.; and Myrtle Beach Municipal Airport, S. C. Additional reductions have been made in the costs at Glasgow due to the overpricing of the land in the estimates submitted to the committee.

Application of the present cost limitation on warehousing and cold-storage facilities has resulted in reductions in the funds requested for these facilities at Minot Air Force Base; Glasgow Air Force Base; Grand Forks Air Force Base; K. I. Sawyer Municipal Airport, Mich.; Klamath Falls Municipal Airport, Oreg; Traverse City Air Force Base, Mich.; Great Falls Air Force Base, Mont.; and Altus Air Force Base, Okla.

The committee has reduced the cost of gymnasiums requested for bases at Grandview, Mo.; Amarillo Air Force Base, Tex.; Laughlin Air Force Base, Tex.; Wichita Air Force Base, Kans.; Kirtland Air Force Base, N. Mex.; Hanscom Air Force Base, Mass.; Hunter Air Force Base, Ga.; Lake Charles Air Force Base, La.; Lincoln Air Force Base, Nebr.; Portsmouth Air Force Base, N. H.; Ardmore Air Force Base, Okla.; Blytheville Air Force Base, Ark.; Foster Air Force Base, Tex.; and George Air Force Base, Calif.

Department of the Army

The budget estimates received by the committee for the Department of the Army contemplated a funding program from available unobligated balances in the amount of $245,611,000. The committee recommends a program of $191,321,000, a reduction of $54,290,000 in the budget request.

Committee Recommendations

The funds approved by the committee for the Department of the Army are allocated in the following manner:

Department of the Army

Ordnance:	
Aberdeen Proving Ground, Md	$1,579,000
Atchison Storage Facility, Kans	1,155,000
Benicia Arsenal, Calif	352,000
Frankford Arsenal, Pa	1,626,000
Jet Propulsion Laboratory, Calif	247,000
Letterkenny Ordnance Depot, Pa	$2,190,000
Lima Ordnance Depot, Ohio	33,000
Navaho Ordnance Depot, Ariz	85,000
Redstone Arsenal, Ala	580,000
Savanna Ordnance Depot, Ill	360,000
Quartermaster:	
Atlanta General Depot, Ga	100,000
Fort Lee, Va	983,000
New Cumberland General Depot (including United States Disciplinary Barracks), Pa	492,000
Richmond Quartermaster Depot, Va	97,000
Chemical:	
Army Chemical Center, Md	673,000
Deseret Chemical Depot, Utah	181,000
Dugway Proving Ground, Utah	78,000
Signal:	
Transmitting Station, Va	2,360,000
Fort Huachuca, Ariz	77,000
Lexington Signal Depot, Ky	492,000
Fort Monmouth, N. J	330,000
Sacramento Signal Depot, Calif	492,000
Corps of Engineers: Fort Belvoir, Va	3,050,000
Transportation:	
Brooklyn Army Base, N. Y	1,264,000
Charleston Transportation Depot, S. C	370,000
Fort Eustis, Va	3,463,000
Oakland Army Base, Calif	785,000
Point Aux Pins Ammunition Terminal, Ala	6,152,000
Army Security Agency: Vint Hill Farms Station, Va	98,000
Army Medical Service:	
Wm. Beaumont Army Hospital, Tex	391,000
Brooke Army Medical Center, Tex	1,129,000
First Army:	
Boston Army Base, Mass	9,900,000
Fort Devens, Mass	1,314,000
Fort Dix, N. J	330,000
Fort Hamilton, N. Y	450,000
Second Army:	
Fort Knox, Ky	1,285,000
Fort George G. Meade, Md	303,000
Third Army:	
Fort Benning, Ga	4,264,000
Fort Bragg, N. C	3,470,000
Fort Campbell, Ky	3,623,000
Fourth Army:	
Fort Bliss, Tex	11,178,000
Fort Hood, Tex	9,904,000
Fort Sill, Okla	1,314,000
Fifth Army:	
Camp Carson, Colo	3,582,000
Fort Riley, Kans	3,871,000
Sixth Army:	
Fort Lewis, Wash	6,268,000
Presidio of Monterey, Calif	330,000
Fort Ord, Calif	774,000
U. S. Disciplinary Barracks, Calif	923,000
Yuma Test Station, Ariz	75,000
Armed Forces special weapons projects	2,080,000
General, continental United States:	
Tactical facilities	65,000,000
Classified project	2,700,000
Overseas areas:	
Alaska:	
Eielson Air Force Base (Army)	533,000
Kenai	1,954,000
Ladd Air Force Base (Army)	839,000
Fort Richardson	992,000
Whittier	541,000
Okinawa	11,049,000
Pacific: Waiawa Radio Transmitting Station, T. H	$221,000
Iceland	5,490,000
Tactical facilities, overseas	500,000
General, continental United States and overseas: Advance design	5,000,000
Total, Army	191,321,000

Generally, the reductions recommended by the committee are based on previously mentioned criteria. The committee desires, however, to comment on reductions at several specific installations.

Adequate swimming facilities exist at Aberdeen Proving Ground, Md., therefore, the committee has denied the request for an additional swimming pool at this installation.

The committee believes that the gymnasium at White Sands Proving Ground, N. Mex., is excessive to the needs of this installation and desires that the Army restudy the need for a facility of the size contemplated at this station.

The request for an addition to the officers' open mess at Fort Belvoir, Va., has been denied, as have funds requested for the post exchange at Walter Reed Medical Center, D. C.; the bowling alleys and officers club at Fort Bragg, N. C.; and the fieldhouse and post exchange at Fort Dix, N. J., in the belief that adequate facilities exist on these installations to meet the needs of the personnel stationed there.

The committee fails to see the need for a post exchange sales store at the Sacramento Signal Depot, Calif.

Funds were requested in the amount of $8,450,000 for conversion of the riding hall at the United States Military Academy, N. Y., to classroom spaces. While the committee recognizes the possible need for additional classroom spaces at the Academy, it desires that the Department restudy this proposal with consideration being given both to the erection of a less costly structure and to the amount of classroom space actually needed in view of present and anticipated future enrollments at the Academy.

Funds requested for post exchanges at Fort Campbell, Ky., and Camp Carson, Colo., have been denied. The requested facilities appear to be excessive in scope to the needs of these installations, particularly with reference to the inclusion of cafeteria facilities.

The request for barracks at Ladd Air Force Base, Alaska, has been denied by the committee. As is stated elsewhere in their report, a careful study should be made of the costs of these barracks in view of the actual construction experiences of the Air Force at this same installation.

The funds allocated for advance design when coupled with unobligated balances remaining in this item will provide for the continuation of an orderly advance planning program.

The committee has allocated funds for construction of the Point Aux Pins Ammunition Terminal, Alabama, in the amount requested by the Department of the Army. These funds are to be used only for land acquisition and for dredging of a channel leading directly to the sea in the manner presented to the committee in the recent hearings in support of this project.

Funds in the amount of $9,900,000 for the Boston Army Base, Mass., were requested by the Department of the Army. This project is authorized in H. R. 9242 and has been concurred in by both the House of Representatives and the Senate. It also involves the utilization of approximately $1,100,000 from the Commonwealth of Massachusetts and authorizes the Secretary of the Army to lease such portions of the Boston Army Base as

he may deem advisable to the Commonwealth of Massachusetts with the retention of recapture rights in any national emergency upon a determination by the Secretary of the Army that the property is needed for military purposes. The committee insists that such a lease contain terms that in the event of reentry into these facilities by the United States the return given to the Commonwealth of Massachusetts as a result of such action shall only be the proper proration of the capitalization of the $1,100,000 contributed by the Commonwealth and shall not include any expenses of protection, repair, and maintenance of the leased premises which the Commonwealth would assume under the terms of H. R. 9242.

CHAPTER IX

Subcommittee: JOHN TABER, New York, chairman; RICHARD B. WIGGLESWORTH, Massachusetts; H. CARL ANDERSEN, Minnesota; IVOR D. FENTON, Pennsylvania; NORRIS COTTON, New Hampshire; GLENN R. DAVIS, Wisconsin; GERALD R. FORD, Jr., Michigan; J. VAUGHAN GARY, Virginia; JOHN J. ROONEY, New York; OTTO E. PASSMAN, Louisiana; CLARENCE CANNON, Missouri.

Emergency programs and activities

Department of State

Government in occupied areas: The bill includes $14 million for carrying out the United States occupation, contractual, diplomatic, and educational exchange functions in Germany and Austria. This amount is $1,500,000 below the amount of the budget estimate and is $5,836,101 below the comparable appropriation for fiscal year 1954.

In addition, the $1 million requested in House Document Numbered 428 to provide for the construction of staff housing in Austria is approved. This amount is to be used exclusively for purchase of foreign credits owed to or owned by the United States.

Funds Appropriated to the President

Refugee relief: There is included in the bill $7 million to carry out the provisions of the Refugee Relief Act of 1953, in which six of the major departments of Government are involved. The amount allowed is $2,025,000 below the budget estimate and $3,750,000 above the appropriation for fiscal year 1954. The request as contained in House Document Numbered 422 for language permitting the apportionment of the entire amount in the first 9 months of the fiscal year, if found necessary by the Bureau of the Budget, is not approved.

Department of the Army, Civil Functions

Government and relief in occupied areas: The committee recommends $3,100,000 for expenses necessary to meet the responsibilities and obligations of the United States in connection with the government or occupation of the Ryukyu Islands, the most important of which is Okinawa. The amount provided is the same as appropriated for fiscal year 1954 and is $950,000 below the budget estimate. It should be noted that $600,000 of the 1954 fiscal year's appropriation was withheld by administrative action and was recently released for procurement of supplies, the economic effect of which will be realized in the present fiscal year. The Department therefore volunteered a reduction of $600,000 in their request for the 1955 fiscal year.

Federal Civil Defense Administration

The bill includes a total of $44,025,000 in new appropriations plus the sum of $1,300,000 of previously appropriated funds which is continued available. The amount allowed provides appproximately the same amount as was obligated during fiscal year 1954. The action with respect to each item is set forth below.

Operations: The committee recommends $8,525,000 for this item which provides for civil defense planning, education services, operations control services, technical advisory services, field representation, executive direction, and general administration. The amount allowed is the same as was appropriated for fiscal year 1954.

Federal contributions: There is included in the bill $10,500,000 for financial contributions to the States, pursuant to subsection (i) of section 201 of the Federal Civil Defense Act of 1950, as amended to be equally matched with State funds. The amount allowed is $4,250,000 below the budget estimate, but is the same as the sum appropriated for fiscal year 1954. In addition, language as requested in House Document No. 385, continuing available $1,300,000 of the unobligated balance for fiscal year 1954, is included in the bill.

Emergency supplies and equipment: The bill includes $25 million for procurement of reserve stocks of emergency civil-defense materials as authorized by subsection (h) of section 201 of the Federal Civil Defense Act of 1950, as amended. The amount allowed is $2,500,000 below the amount appropriated for the current fiscal year and is $35 million below the budget estimate. The entire amount allowed is to be used for medical supplies and equipment.

Jamestown-Williamsburg-Yorktown Celebration Commission

The sum of $170,000, the budget estimate, is included in the bill for the operation of this Commission which was established pursuant to Public Law 263, approved August 13, 1953.

General Services Administration

Administrative expenses, Abaca fiber program: Language as requested in House Document No. 456 is included in the bill. The administrative expense limitation has been reduced from $148,000 to $135,000.

Treasury Department

Federal Facilities Corporation: Language as requested in House Document No. 456 with the administrative expense limitation of $1,954,000 is included in the bill.

CHAPTER X

Claims, audited claims, and judgments

The committee recommends the full amount of $9,296,561 contained in House Document No. 461 to cover claims for damages, audited claims, and judgments rendered against the United States. Of this amount, $8,031,303 represents judgments of the Court of Claims and the United States districts courts. The amount provided for claims is $1,265,258.

CHAPTER XI

General provisions

Subcommittee: JOHN TABER, New York, chairman; RICHARD B. WIGGLESWORTH, Massachusetts; H. CARL ANDERSEN, Minnesota; IVOR D. FENTON, Pennsylvania; NORRIS COTTON, New Hampshire; GLENN R. DAVIS, Wisconsin; GERALD R. FORD, Jr., Michigan; J. VAUGHAN GARY, Virginia; JOHN J. ROONEY, New York; OTTO E. PASSMAN, Louisiana; CLARENCE CANNON, Missouri.

The general provision included in the accompanying bill are applicable to all departments, agencies, and corporations of the Federal Government.

Section 1101 continues, at $1,400 each, the amount that may be spent for purchase of passenger motor vehicles, and adds a new limitation of $3,000 on any one passenger vehicle irrespective of any limitation carried in the 1955 appropriations acts.

Section 1102 continues language which has been carried for some years concerning the employment of aliens.

Section 1103 continues language previously carried relating to living quarters allowances.

Section 1104 continues language previously carried prohibiting the filling of positions by anyone whose nomination has been disapproved by the Senate.

Section 1105 continues language previously carried limiting the amount that may be paid for copies of the United States Code Annotated and the Lifetime Federal Digest.

Section 1106 continues language previously carried relating to the use of funds by Government corporations.

Section 1107 contains language similar to that previously carried prohibiting the use of funds of corporations for purchase or construction of office buildings.

Section 1108 continues language previously carried to authorize the transfer of personnel and appropriations to defense activities of various departments and agencies of the Government in pursuance to law.

Section 1109 continues language concerning rental of Government-owned living quarters.

Section 1110 contains language similar to that carried previously authorizing the use of appropriated funds to purchase foreign credits owed to or owned by the United States, as required by section 1415 of Public Law 547, 82d Congress.

Section 1111, definition of obligations: Over a period of years numerous loose practices in handling appropriated funds have grown up in various agencies of the Government. The most difficult problem in this area arises from the recording of various types of transactions as obligations of the Government when, in fact, no real obligation exists. This situation has become so acute as to make it next to impossible for the Committee on Appropriations to determine with any degree of accuracy the amount which has been obligated against outstanding appropriations as a basis for determining future requirements. It has become necessary to set forth definitely in the law the types of transactions which will be recognized as true obligations and secure accurate reporting thereon in order that it may be possible for the Committee on Appropriations to have a sound basis for its operations. Section 1111 therefore has been included in the bill to accomplish this purpose. A clean-cut definition of the obligations will also greatly simplify the work of the General Accounting Office in auditing and settling the accounts of the various agencies. The Acting Comptroller General was consulted and has concurred in the proposal as a ncessary step to clear up the existing chaotic situation. The proposal has also been discussed with the Director of the Bureau of the Budget and he agrees that legislation of this type is needed.

Section 1112 continues language previously carried commonly known as the antistrike provision.

Limitations and legislative provisions

The following limitations and legislative provisions not heretofore carried in connection with any appropriation bill are recommended:

On page 2, line 20, in connection with the appropriation for the Architect of the Capitol:

"The Architect of the Capitol, under the direction of the House Office Building Commission, is authorized hereafter to furnish steam from the Capitol Power Plant to the Folger Shakespeare Library: *Provided*, That the person or persons authorized to make contracts with respect to such building to which such steam is to be furnished agrees (a) to pay for such steam at rates not less than cost, determined by the Architect of the Capitol with the approval of the House Office Building Commission, and (b) to connect such building with the Capitol Power Plant steam lines without expense to the United States and in a manner satisfactory to the Architect of the Capitol and the House Office Building Commission: *Provided further*, That amounts received in payment for steam

so furnished shall be covered into the Treasury of the United States as miscellaneous receipts."

On page 10, line 19, in connection with "Construction and rehabilitation, Bureau of Reclamation": *"Provided,* That no part of this appropriation shall be used to initiate construction of the Helena Valley unit, Montana, until a repayment contract has been executed."

On page 13, line 7, in connection with "Expenses, General Supply Fund":

"Leased warehouse space temporarily in excess of operating requirements may be subleased to commercial organizations and the proceeds shall be covered into the Treasury as miscellaneous receipts."

On page 37, line 22, "General Provisions":

"SEC. 1111. (a) After the date of enactment hereof no amount shall be recorded as an obligation of the Government of the United States unless it is supported by documentary evidence of—

"(1) a binding agreement in writing between the parties thereto, in a manner and form and for a purpose authorized by law, executed before the expiration of the period of availability for obligation of the appropriation or fund concerned for specific goods to be delivered, real property to be purchased or leased, or work or services to be performed; or

"(2) a valid loan agreement, showing the amount of the loan to be made and the terms of repayment thereof; or

"(3) an order required by law to be placed with a Government agency; or

"(4) an order issued pursuant to a law authorizing purchases without advertising when necessitated by public exigency or for perishable subsistence supplies or within specific monetary limitations; or

"(5) a grant or subsidy payable (i) from appropriations made for payment of or contributions toward, sums required to be paid in specific amounts fixed by law or in accord with formulae prescribed in law, or (ii) pursuant to agreement authorized by, or plans approved in accord with and authorized by, law; or

"(6) a liability which may result from pending litigation brought under authority of law; or

"(7) employment or services of persons or expenses of travel in accord with law, and services performed by public utilities; or

"(8) any other legal liability of the United States against an appropriation or fund legally available therefor.

"(b) Not later than September 30 of each year, the head of each Federal agency shall certify, as to each appropriation or fund under the control of such agency, the amount thereof remaining obligated but unexpended and the amount thereof remaining unobligated on June 30 of such year and copies of such certification shall be forwarded by him to the chairmen of the Committees on Appropriations of the Senate and the House of Representatives, to the Comptroller General of the United States, and to the Director of the Bureau of the Budget. Notwithstanding any other provision of law, the duty of making certifications as required by this subsection shall not be delegated: *Provided,* That such certification for the fiscal year ending June 30, 1954, shall be made not later than October 31, 1954, and shall include only such obligations as could have been recorded under the provisions of subsection (a) hereof.

"(c) Each certification made pursuant to subsection (b) shall be supported by records evidencing the amounts which are certified therein as having been obligated and such records shall be retained in the agency in such form as to facilitate audit and reconciliation for such period as may be necessary for such purposes.

"(d) No appropriation or fund which is limited for obligation purposes to a definite period of time shall be available for expenditure after the expiration of such period except for liquidation of amounts obligated in accord with subsection (a) hereof; but no such appropriation or fund shall remain available for expenditure for any period beyond that otherwise authorized by law."

Mr. TABER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read the bill down to and including line 16, page 5.

Mr. TABER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ALLEN of Illinois, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 9936) making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes, had come to no resolution thereon.

CHARTER OF TANKERS BY THE SECRETARY OF THE NAVY

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (S. 3458) to authorize the long-term time charter of tankers by the Secretary of the Navy, and for other purposes, with a House amendment thereto, insist on the House amendment, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. ARENDS, COLE of New York, SHAFER, CUNNINGHAM, VINSON, KILDAY, and RIVERS.

SPECIAL ORDERS GRANTED

Mr. HOLIFIELD asked and was given permission to address the House for 1 hour today and 1 hour on Wednesday next, following the legislative program and any special orders heretofore entered.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6788) entitled "An act to authorize the Secretary of Agriculture to cooperate with States and local agencies in the planning and carrying out of works of improvement for soil conservation, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2759) entitled "An act to amend the Vocational Rehabilitation Act so as to promote and assist in the extension and improvement of vocational rehabilitation services, provide for a more effective use of available Federal funds, and otherwise improve the provisions of that act, and for other purposes."

PROVIDING MULTIPLE MINERAL DEVELOPMENT OF PUBLIC LANDS

Mr. ALLEN of Illinois. Mr. Speaker, I call up the resolution (H. Res. 639) providing for the consideration of H. R. 8896, a bill to amend the mineral-leasing laws to provide for multiple mineral development of the same tracts of the public lands, and for other purposes, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8896) to amend the mineral-leasing laws to provide for multiple mineral development of the same tracts of the public lands, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment recommended by the Committee on Interior and Insular Affairs now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as he may require to the gentleman from Montana [Mr. D'EWART].

Mr. D'EWART. Mr. Speaker, this bill has to do with the mineral leasing and mining laws. These laws provide only for the exclusive development of minerals, under the mining laws and the exclusive search and development of oil and certain other minerals under the leasing laws. This bill is necessary because of the discovery of fissionable materials on these claims and leases thereby making multiple use necessary. This bill proposes to permit multiple use of those areas. The committee held extended hearings on the matter. We went into it a year ago. The Congress passed a law permitting development for 1 year on existing uranium claims. However, that bill was only for 1 year and this new bill provides for future development of fissionable materials. The bill is necessary if we are to have this multiple use of these oil lease lands and mining lands. Therefore, I hope the rule is adopted.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 30 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Colorado [Mr. ASPINALL] to explain this bill. I think it would be well for the House to know something about the bill, and the gentleman from Colorado is very well informed on it.

Mr. ASPINALL. Mr. Speaker, while it is unfortunate, it sometimes appears that if we wish to achieve some simple end by legislation, we must use language so complicated that the simple purpose is obscured. This is particularly true if the situation which is to be handled has developed over a long term of years.

The consideration of H. R. 8896, which has for its purpose the multiple use of our mineral resources present in our public lands, falls into this category. Yet, I believe that a careful explanation will show the close relationship between the simple end to be achieved and the method of achievement.

The basic problem is that we have two general statutory procedures and two general systems for the development and production of the mineral resources of this Nation. The first of these grew out of the necessities of the early mining operations of the West and centered around the rights to follow the initial discovery of a valuable mineral or metal. The locator was given exclusive possession to otherwise unclaimed public land upon which he had discovered a lode or vein or placer deposit. It follows that certain specifications and procedures must be followed and adhered to but the important point is that the locator is entitled to prosecute his claim to full title by patent to a limited area of ground directly related to his discovery. This system received statutory approval by the passage of the mining law of 1872.

A second type of development came into play in 1920 with the passage of the Mineral Leasing Act which reserved to the Government such minerals as coal, phosphate, oil shale, gas and oil, sodium and later sulfur. Under the provisions of this act, development was on a limited basis by permit or lease with title to the land and also to the mineral involved, until it was actually in the physical possession of the lessee or permittee, remaining in the Government. The developer was thus a permittee or lessee and not a fee owner as in the case of a general mining operator.

Beyond this, these two mining acts provide for systems which are mutually exclusive. Public land withdrawn or valuable or potentially valuable for Leasing Act minerals, or land actually covered by a permit or lease for one of these listed minerals is closed to location and development under the mining laws. Likewise, public land under location for mining claims makes impossible development of leasing mineral potentials unless carried on by the locator himself.

For a long period of time—in fact from 1920 until the late 1940's—this mutually exclusive pattern, while undesirable, did not cause any major hardship or controversy. Then came the demand for uranium in this country and a special and dramatic emphasis was placed upon this general subject. This came about because it was found that the major area where most of the early uranium deposits were located and opened was largely blanketed by prior oil and gas leases or on lands likely to be valuable for oil and gas.

Mr DURHAM. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield.

Mr. DURHAM. I think legislation probably should have been adopted earlier in the development of these uranium mines in the western part of the United States, but since this does put them under the mining law, it would also give each individual, it does not make any difference how small he is, if he is just a one-shovel prospector, it will put him in the same position as the man with any other amount of money?

Mr. ASPINALL. That has been the history of the mining law development in this country.

Mr. DURHAM. What effect will this have on the sale of securities since under the mining and leasing law they will be able to sell stock; is that correct?

Mr. ASPINALL. That is right.

Mr. DURHAM. Will these leases and the regulations governing the sale of securities be under the State law or under the general Federal law?

Mr. ASPINALL. They will be under both; they will be under Federal law with reference to the sale of securities, and also they will certainly come under the various State laws.

Mr. DURHAM. Since there is a great deal of confusion at the present time as to this whole field of operation, does the gentleman feel that this bill will protect the Federal Government in respect to the sale of securities?

Mr. ASPINALL. I feel that it will protect the Federal Government and the people working with the Federal Government and the State commissions; and the Atomic Energy Commission, as the gentleman from North Carolina knows, has been asked for its approval of this proposed legislation.

Mr. DURHAM. And does the gentleman feel that the individual investor will be fully protected? I mean by that, he will know whether or not his stock is worth anything, or whether it is the kind of stock that is given away with each $5 purchase of groceries. The gentleman knows what I mean.

Mr. ASPINALL. I know exactly; and I feel that the protection afforded will be as great as it is possible to give. In my opinion, it will be just as substantial as any protection in such procedures, or for that matter, when any securities are legally issued and offered for sale. The gentleman asks if it will be possible to sell stock. As long as we have people who want to buy such stocks—and we always have them—I suppose they will be able to buy them. I do not see any difficulty because of this bill.

Mr. DURHAM. The stocks are usually regulated by State agencies.

Mr. ASPINALL. And this stock will be regulated as well.

Mr. SHEPPARD. Mr. Speaker, will the gentleman yield?

Mr. ASPINALL. I yield.

Mr. SHEPPARD. I would like to ask this question out of precaution and more or less as a matter of formula: Does this have anything to do with water rights?

Mr. ASPINALL. It has nothing whatsoever to do with water rights. It deals simply with multiple rights to the use of minerals in our public lands.

Mr. SHEPPARD. I thank the gentleman.

Mr. ASPINALL. Mr. Speaker, when this conflict became known, some solution was made mandatory and there began a great effort on the part of the affected parties, mining interests, leasing interests, the Atomic Energy Commission, and the Department of Interior to find some means to sustain the worthy principles of both the mining and the leasing laws and still provide for the rapid development of vitally needed uranium. This is not to indicate that uranium is the only value involved for there are other mineral values which can be more readily developed if some multiple-use legislation can be passed. Uranium just dramatized this need.

This need for solution and the effort given to it resulted in measures to meet the most pressing immediate needs and also to demonstrate the process by which a permanent solution could be had. First, something had to be done about the mining claims filed in unknowing trespass on oil and gas lands during the period between August 1, 1939 and December 31, 1952, the date when the technical trespass was recognized as a known factor. These claims, filed in good faith, were in production but the cloud on the location or right forced the Atomic Energy Commission to withhold certain payments to the producers. This uncertainty with regard to going mines put a damper on any new operations and many feared that they would lose what investment they had put into their claim or mine.

This pressing need was met by special legislation in August of 1953. Public Law 250, passed during the first session of the 83d Congress, validated the claims filed in unknowing trespass between August 1, 1939, and the end of December 1952, most of which were located on the Colorado Plateau. Beyond that, this temporary legislation laid the foundation upon which a permanent solution could be built.

The cutoff date of December 31, 1952, still left a great many claims and a great many potential claims in doubt as to validity. The Atomic Energy Commission, in order to sustain the impetus of uranium development while some solution was being worked out, finally came out with certain lease procedures under its Circular No. 7, which it issued late in January of 1954. This again was only a stopgap proposition. Something permanent was required because of confusion stemming from the reservation to the Government and its agent, the Atomic Energy Commission, of all fissionable source materials as specified in the Atomic Energy Act of 1946.

We have now come to the time when permanence must be given to past procedures and where some lasting procedures can be established to carry through the years.

It became apparent during the involved discussions on this general subject that the reservation to the Government of all fissionable source materials has, in effect, put their development under procedures similar to those provided in the Mineral Leasing Act rather than the general mining laws, while it had been understood from official releases that prospecting and developing procedures under the general mining law would be respected. The general mining law did not apply for even though a discovery was made by a mining locator, he could not acquire title or right to a material reserved to the Government and his location could be as easily filed upon by another. If this had been seriously pursued, the confusion would have passed all bounds.

Any claim located under the mining laws and filed prior to an oil and gas lease or permit or an application for such and/or prior to the Atomic Energy Act is quite valid, only no one was filing any claims for uranium any earlier for there was no market. However, on that same Colorado plateau where the oil and gas lease overlap was so important, there were many old claims containing uranium which had been initially located for either radium or vanadium. There was no way the Government could abrogate these old valid claims, yet no apparent way by which new ones could be located.

The actual demonstrated results of the operation of the program under the mining system, before it developed that it might be clouded by the Mineral Leasing Act, made it clear beyond doubt that the wisest and most efficient method of finding and developing uranium deposits was under the mining laws. This allowed, and indeed inspired, a vast number of individuals to go out into the hills and run down workable deposits of uranium. The only apparent alternative would have been a lease system under which the small operator is at a material disadvantage, and under which the possibility of monopoly is much greater. Under the prospecting system the individual enterpriser can do, and in fact always has done, about as well as anyone else. The enterprise system has been proved a wise system many times in the prospecting and developing of mineral resources throughout the history of our Nation.

So it was then that the interested parties came to a preliminary agreement in 1953 which resulted in the passage of Public Law 250. This act validated the claims made which would have been abrogated under the Mineral Leasing Act if any suit had been pursued. In the full realization that the effort for a permanent solution was going forward, the method of operation was not materially altered. That is to say that enterprising people still went out into the hills with their jeep—and that little machine has displaced the burro in this field—and found and staked out claims for uranium even though many of them were on lands where the Leasing Act prohibition still might cut them off. In that this effort was allowed by mutual, if unwritten, agreement, we should not now abrogate the well-established pattern for it is based upon our traditional method of locating new ore bodies. It has been partially validated by the limited effect of Public Law 250 and the operations under the regulations of the Atomic Energy Commission—Circular No. 7—and by the general assumption that the interested groups would come to some common agreement on a permanent solution.

This desirable end has been achieved and has been reduced to legal language. The bill containing this language has been unanimously approved by the Senate and is now before the House for final consideration.

It is not my purpose to go into a section-by-section analysis of this bill at this time while considering the resolution for a rule. However, I do wish to point up the fact that the bill to be considered has four distinct purposes, all of which are closely connected. The first of these is to validate claims made in good faith under the mining laws on lands where they would otherwise be blocked by the leasing law. This requires certain stipulations on priority of past claims which, even though presently without validity, do represent at least a prior equitable right.

The second purpose is to make possible the development of other than the leasable minerals—coal, phosphate, oil and gas, oil shale, sodium, and sulfur—on public lands covered by mineral leases or permits or applications for such leases or permits. And, at the same time providing that from the effective date of said act that claims filed and patents issued hereafter shall in most cases carry a reservation to the Federal Government of the leasable minerals present in lands described in such claims or patents. This part of the legislation makes possible the multiple-mineral use of the public lands. The third purpose of the bill is to provide a procedure whereby an applicant for or holder of a permit or lease under the Mineral Leasing Act may request the Department of the Interior to publish a notice requiring any claimant under an unpatented mining claim to come forward and make his claim known where the claim extends to Leasing Act minerals. This part of the bill is largely for the protection of the dormant claim owner and at the same time provides for the multiple-mineral use of such lands. This has been the most difficult part of the legislation. The members of the committee considering the bill feel that the best possible protection for all concerned has been provided. Time alone will tell just how well we have done. The fourth objective in H. R. 8896 is the amending of the Atomic Energy Act in accordance with the expressed approval of the Commission itself and providing for the deletion from said act of the reservation of all fissionable-source materials. This provision does not disturb the exclusive right of the Government to the purchase and control of the use of all fissionable-material ore. On the other hand, it does clarify the statutory procedure by which the prospecting for and the taking from the earth of such ore shall be accomplished.

The legislation has been considered most extensively by the Committee on Interior and Insular Affairs. The bill was reported to the House with but minor objection. Since the committee action an amendment has been agreed upon by its sponsors and our colleague, Congressman ENGLE, of California, which agreement has removed his objection. This amendment will be offered under the 5-minute rule.

The legislation is badly needed and I sincerely hope that the rule and the bill will each have the support of the Members.

I should like to close with a commendation of those interested individuals and groups who have worked so diligently for a solution acceptable to all. I can recall no other time when I have seen such determination to work in harmony to find an agreement on the principles without weakening compromises. We have had here, in my opinion, a demonstration of the best process of democracy—the working together of freemen to find a common solution to an existing problem. Lastly, may I say that if this bill becomes law, it will be another effective link in our ecomonic system which has been so well built on private initiative and free enterprise.

Mr. ALLEN of Illinois. Mr. Speaker, I rise to urge the adoption of House Resolution 639 which will make in order the consideration of the bill (H. R. 8896) to amend the mineral leasing laws to provide for multiple mineral development of the same tracts of the public lands, and for other purposes.

House Resolution 639 provides for an open rule, waiving points of order with 1 hour of general debate on the bill. The rule would also allow for the consideration of the committee substitute amendment as an original bill for the purposes of amendment.

H. R. 8896 proposes to solve the difficult problem arising out of the conflict and coexistence of two distinct systems under which a person may acquire rights to develop and exploit the mineral resources of the Federal domain.

The first method by which these rights may be acquired dates back to 1872 when it was decided that the person who located and patented a mining claim received full title to this location.

In 1920, however, the leasing system was inaugurated under the Mining Leasing Act, which provided for the licensing or leasing system of lands on which oil and gas, oil shale, coal, phosphate, sodium and potash have been discovered.

The conflict arises from the fact that under the laws of the United States, lands on which mineral locations have been made under the mining laws have not been open to leasing under the Mineral Leasing Act. On the other hand, lands which have been leased or licensed to individuals under an oil or gas lease provided for in the Mineral Leasing Act, or if they are known to be valuable for leasing act minerals, have not been open to mineral entry under the mining laws.

The report on this bill brought out the fact that the need for the discovery and exploitation of uranium in the United States has brought this situation to a head. The uranium deposits thus far have been discovered in the area around the Colorado Plateau. However, this particular section has a great many oil

and gas filings on it, and consequently precludes to a large extent the possibilities of development for uranium and other hard minerals.

It works the other way too, Mr. Speaker, for in sections where oil and gas applications have not yet been made, and where there are mining locations and claims, the oil and gas prospectors are reluctant to lease and drill in view of the already existing mining claims.

It is obvious that a way has to be found to permit both interests to work in harmony together for the better development of all our resources.

H. R. 8896 would provide for legal compatibility for the coexistence of a mining claim and of a permit or lease under the Leasing Act on the same land. The bill also seeks to resolve the uncertainty which now exists because of the scope of the Atomic Energy Act, as to the validity of any mining claim located after August 1, 1946, the date of enactment of the Atomic Energy Commission Act, for fissionable source materials. This bill would eliminate that uncertainty.

The final change which this bill seeks to make would be to provide a procedure under which claimants of unpatented mining claims, which may conflict with Leasing Act filings, may be required to make known and establish the basis of their assertions if these assertions extend to Leasing Act minerals.

H. R. 8896 would also clarify the legal situation caused by the limited scope of Public Law 250 and complications introduced by the Atomic Energy Commission's domestic uranium program circular 7 which had been issued by the Atomic Energy Commission to permit development of fissionable source material on lands closed to mining location because of Mineral Leasing Act filings.

Mr. Speaker, I think that we will all agree that it is very important to our national security that the mineral and mining laws be so drawn as to provide for the maximum harmonious development of these important national assets. It seems to me that this bill is comprehensive enough to protect the rights of both groups involved and still allows for the full development of our resources. I hope that the rule will be adopted and that the House will pass the bill.

Mr. SMITH of Virginia. Mr. Speaker, I have no further requests for time.

Mr. ALLEN of Illinois. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. D'EWART. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8896) to amend the mineral-leasing laws to provide for multiple-mineral development of the same tracts of the public lands, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 8896, with Mr. KEATING in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule the gentleman from Montana [Mr. D'EWART] will be recognized for 30 minutes, and the gentleman from California [Mr. ENGLE] for 30 minutes.

The gentleman from Montana is recognized.

Mr. D'EWART. Mr. Chairman, I yield 10 minutes to the gentleman from Utah [Mr. DAWSON], author of the pending bill.

Mr. DAWSON of Utah. Mr. Chairman, this is a rather complicated measure but I trust that in a few words I may be able to give you a better picture of what we are attempting to achieve. This measure applies principally to the Colorado plateau area, which is now producing the bulk of the uranium in this country.

Under existing laws we have a conflict between what is known as the general mining law, which was adopted back in 1872, and the Mineral Leasing Act, which was adopted in 1920.

Under the mining law a prospector can go on the public domain and search for hard minerals and if he makes a discovery he can perfect his claim and eventually pursue that to patent and acquire patent to a small tract on which the minerals are located. Under the General Leasing Act, which was passed in 1920, the Government leases to operators who are prospecting for what is known as leasable minerals, such as oil, gas, and potassium, et cetera, acreage for the purpose of removing these minerals under lease, but they can never acquire title.

The difficulty we have had is that if an oil and gas lease operator wants to go ahead and explore for oil and gas, and there is a mining claim located on this land, he is subject to the mining claim. We find thousands of old dormant mining claims located on these oil and gas lease lands and in the event that the oil operator locates oil or gas on his lease, then these old mining claimants might come forward and in effect blackmail him for a certain payment to buy him out in order to acquire the right to the area that he covers. That has been blocking the oil and gas lease operators.

On the other hand, if there is an oil and gas lease existing on the public domain, a mining claimant could not go on and explore for the so-called hard minerals, which has meant that today in the State of Utah where 72 percent of the land is now owned by the Federal Government a big portion of these lands are now under oil and gas leases which means that these people who want to go out and explore for uranium have in effect been thwarted by the fact that these leases are outstanding.

The purpose of this measure is to make these two mineral laws compatible so as to permit the oil and gas lease operator to go on and search for oil and gas without interfering with the mining claimant, and, by the same token, the mining claimant can go on and search for uranium without interfering with the oil and gas claimant, which results in the so-called multiple use and help everyone concerned.

The Nation as a whole is vitally concerned with this measure because under conditions as they now exist we have this conflict. Those who are searching for uranium are finding they do not have a valid claim when they go on oil and gas leased lands. As a result, the Atomic Energy Commission has urgently requested that this legislation be passed to assist them to bring forth these fissionable materials.

There are a great many features to the bill that are rather technical in nature, but the committee has spent a considerable length of time hearing testimony on the bill. The oil and gas people and the mining people have worked for months on it and have come up in pretty much of a general agreement on these proposals. We feel that for the good of the Nation and also for the good of those who are out there seeking to remove these fissionable materials this bill should be passed.

Mr. D'EWART. Mr. Chairman, will the gentleman yield?

Mr. DAWSON of Utah. I yield to the gentleman from Montana.

Mr. D'EWART. As a matter of fact, this legislation is the result of years of work on the part of representatives of the mining industry, the representatives of the oil and gas industry and the Atomic Energy Commission in trying to resolve differences so that the development of these fissionable materials may be speeded up.

Mr. DAWSON of Utah. That is perfectly true. Furthermore, you must understand that under existing law the Atomic Energy Commission is required to go out and give leases on these acreages for the reason that under the Atomic Energy Commission Act all of the uranium must be sold to the Government and it is all under their jurisdiction. So, they are vitally concerned with this measure.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. DAWSON of Utah. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I would like to congratulate the author of this bill for taking some steps which I think have been long needed in correcting many of the evils which have existed in the mining industry. I think the aims which he has directed in a portion of this bill to allow multiple use of public lands is highly commendable and highly desirable. The only question I would like to ask him is in regard to the first section of the bill which attempts to validate leases or claims which have already been made. Would the gentleman explain those provisions? That is the only part of the bill which I have any objection to, and I would like the record to show why the gentleman proposes to validate leases made subsequent to July 31, 1939, and prior to February 10, 1954.

Mr. DAWSON of Utah. I will be happy to explain. As the gentleman from Colorado told us a few moments ago, we passed a bill last year known as Public Law 250, which validated these uranium claims from 1939 up until January 1,

1953, based upon the very same reasons that I have presented to you here today.

Now, the first section of the bill to which the gentleman refers would also validate claims from January 1, 1953, up until the effective date of this act. The reason for that is this: The Atomic Energy Commission has, by reason of Circular 7, granted leases on much of this land and the people have gone on there in good faith and located claims. The first section of the bill attempts to set up a series of priorities for claimants, and the reason for giving priority to those claims which were filed subsequent to January 1, 1953, and the date this act becomes effective would be to give those claimants who went in there in good faith the results of their endeavors. Now, of course, there have been other claimants who have come in and filed on top of these claims, and there has been some dispute out there where the priority shall lie. But the industry, the mining people, and the oil and gas people have pretty well agreed on the system of priorities set up in this measure. Of course, there is something to what the gentleman says, that it does attempt to legalize so-called technical trespassers. We admit that these people are in technical trespass because of this overlapping of interest, but the purpose of the bill is to try to iron out these differences, and until these differences are ironed out, we are going to have some serious trouble out there. Out in our State we had a shooting take place; a man was shot because of so-called claim jumping, and if something is not done to straighten out these claims, we will have a lot more of it.

Mr. SAYLOR. I have opposed up until this time this provision, but if the gentleman will offer an amendment which will make the effective date for these leases not February 10, 1954, the date when Circular 7 was first published, but the effective date of this act, so that next year we will not be faced with coming back here and asking to validate claims between February 10, 1954, and the effective date of the act, I think the bill will accomplish a much broader purpose.

Mr. DAWSON of Utah. I wish I could offer such an amendment as the gentleman proposes, and I think you are probably right that it is the effective date of Circular 7 we were referring to rather than the effective date of the act. But in my opinion, that would be a mistake, because we would simply be stirring up a lot more controversy out there than exists at the present time, and as far as I know, there have been very few who would proposed to change the date as the gentleman suggests. We have to draw the line somewhere, and the people who have been spending so much time trying to work out these differences have agreed on these times. Inasmuch as it does involve such technical phases of the mining law I think it would be a mistake for us to attempt to change it at this date.

Mr. ENGLE. Mr. Chairman, I have no requests for time on this side.

Mr. D'EWART. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will now read the substitute committee amendment printed in the bill as an original bill for the purpose of amendment.

The Clerk read as follows:

Be it enacted, etc., That, (a) subject to the conditions and provisions of this act and to any valid intervening rights acquired under the laws of the United States, any mining claim located under the mining laws of the United States subsequent to July 31, 1939, and prior to February 10, 1954, on lands of the United States, which at the time of location were—

(1) included in a permit or lease issued under the mineral leasing laws; or

(2) covered by an application or offer for a permit or lease which had been filed under the mineral leasing laws; or

(3) known to be valuable for minerals subject to disposition under the mineral leasing laws;

shall be effective to the same extent in all respects as if such lands at the time of location, and at all times thereafter, had not been so included or covered or known: *Provided, however,* That, in order to be entitled to the benefits of this act, the owner of any such mining claim located prior to January 1, 1953, must have posted and filed for record, within the time allowed by the provisions of the act of August 12, 1953 (67 Stat. 539), an amended notice of location as to such mining claim, stating that such notice was filed pursuant to the provisions of said act of August 12, 1953, and for the purpose of obtaining the benefits thereof: *And provided further,* That in order to obtain the benefits of this act, the owner of any such mining claim located subsequent to December 31, 1952, and prior to February 10, 1954, not later than 120 days after the enactment of this act, must post on such claim in the manner required for posting notice of location of mining claims and file for record in the office where the notice or certificate of location of such claim is of record an amended notice of location for such claim, stating that such notice is filed pursuant to the provisions of this act and for the purpose of obtaining the benefits thereof and, within said 120 days period, if such owner shall have filed a uranium lease application as to the tract covered by such mining claim, must file with the Atomic Energy Commission a withdrawal of such uranium lease application or, if a uranium lease shall have issued pursuant thereto, a release of such lease, and must record a notice of the filing of such withdrawal or release in the county office wherein such notice or certificate of location shall have been filed for record.

(b) Labor performed or improvements made after the original location of and upon or for the benefit of any mining claim which shall be entitled to the benefits of this act under the provisions of subsection (a) of this section 1, shall be recognized as applicable to such mining claim for all purposes to the same extent as if the validity of such mining claim were in no respect dependent upon the provisions of this act.

(c) As to any land covered by any mining claim which is entitled to the benefits of this act under the provisions of subsection (a) of this section 1, any withdrawal or reservation of lands made after the original location of such mining claim is hereby modified and amended so that the effect thereof upon such mining claim shall be the same as if such mining claim had been located upon lands of the United States which, subsequent to July 31, 1939, and prior to the date of such withdrawal or reservation, were subject to location under the mining laws of the United States.

SEC. 2. (a) If any mining claim which shall have been located subsequent to December 31, 1952, and prior to December 11, 1953, and which shall be entitled to the benefits of this act, shall cover any lands embraced within any mining claim which shall have been located prior to January 1, 1953, and which shall be entitled to the benefits of this act, then as to such area of conflict said mining claim so located subsequent to December 31, 1952, shall be deemed to have been located December 11, 1953.

(b) If any mining claim hereafter located shall cover any lands embraced within any mining claim which shall have been located prior to February 10, 1954, and which shall be entitled to the benefits of this act, then as to such area of conflict said mining claim hereafter located shall be deemed to have been located 121 days after the date of the enactment of this act.

SEC. 3. (a) Subject to the conditions and provisions of this act and to any valid prior rights acquired under the laws of the United States, the owner of any pending uranium lease application or of any uranium lease shall have, for a period of 120 days after the date of enactment of this act, as limited in subsection (b) of this section 3, the right to locate mining claims upon the lands covered by said application or lease.

(b) Any rights under any such mining claim so hereafter located pursuant to the provisions of subsection (a) of this section 3 shall be subject to any rights of the owner of any mining claim which was located prior to February 10, 1954, and which was valid at the date of the enactment of this act or which may acquire validity under the provisions of this act. As to any lands covered by a uranium lease and also by a pending uranium lease application, the right of mining location under this section 3, as between the owner of said lease and the owner of said application, shall be deemed as to such conflict area to be vested in the owner of said lease. As to any lands embraced in more than one such pending uranium lease application, such right of mining location, as between the owners of such conflicting applications, shall be deemed to be vested in the owner of the prior application. Priority of such an application shall be determined by the time of posting on a tract then available for such leasing of a notice of lease application in accordance with paragraph (c) of the Atomic Energy Commission's Domestic Uranium Program Circular 7 (10 C. F. R. 60.7 (c)), provided there shall have been timely compliance with the other provisions of said paragraph (c), or, if there shall not have been such timely compliance, then by the time of the filing of the uranium lease application with the Atomic Energy Commission. Any rights under any mining claim located under the provisions of this section 3 shall terminate at the expiration of 30 days after the filing for record of the notice or certificate of location of such mining claim unless, within said 30-day period, the owner of the uranium lease application or uranium lease upon which the location of such mining claim was predicated shall have filed with the Atomic Energy Commission a withdrawal of said application or a release of said lease and shall have recorded a notice of the filing of such withdrawal or release in the county office wherein such notice or certificate of location shall be of record.

(c) Except as otherwise provided in subsections (a) and (b) of this section 3, no mining claim hereafter located shall be valid as to any lands which at the time of such location were covered by a uranium lease application or a uranium lease. Any tract upon which a notice of lease application has been posted in accordance with said paragraph (c) of said Circular 7 shall be deemed to have been included in a uranium lease application from and after the time of the posting of such notice of lease application: *Provided,* That there shall have been timely compliance with the other provisions of said paragraph (c) or, if there shall not have

been such timely compliance, then from and after the time of the filing of a uranium lease application with the Atomic Energy Commission.

SEC. 4. Every mining claim or millsite hereafter located under the mining laws of the United States and every mining claim or millsite heretofore so located which shall be entitled to benefits under the first three sections of this act shall be subject to a reservation to the United States of all Leasing Act minerals and of the right (as limited in section 6 hereof) of the United States, its lessees, permittees, and licensees to enter upon the land covered by such mining claim or millsite and to prospect for, drill for, mine, treat, store, transport, and remove Leasing Act minerals and to use so much of the surface and subsurface of such mining claim or millsite as may be necessary for such purposes, and whenever reasonably necessary, for the purpose of prospecting for, drilling for, mining, treating, storing, transporting, and removing Leasing Act minerals on and from other lands; and any patent issued for any such mining claim or millsite and contain such reservation.

SEC. 5. Subject to the conditions and provisions of this act, mining claims and millsites may hereafter be located under the mining laws of the United States on lands of the United States which at the time of location are—

(a) included in a permit or lease issued under the mineral leasing laws; or

(b) covered by an application or offer for a permit or lease filed under the mineral leasing laws; or

(c) known to be valuable for minerals subject to disposition under the mineral leasing laws;

to the same extent in all respects as if such lands were not so included or covered or known.

SEC. 6. (a) Where the same lands are being utilized for mining operations and Leasing Act operations, each of such operations shall be conducted, so far as reasonably practicable, in a manner compatible with such multiple use.

(b) Any mining operations pursuant to rights under any unpatented or patented mining claim or millsite which shall be subject to a reservation to the United States of Leasing Act minerals as provided in this act shall be conducted, so far as reasonably practicable, in a manner which will avoid damage to any known deposit of any Leasing Act mineral. Subject to the provisions of subsection (d) of this section 6, mining operations shall be so conducted as not to endanger or materially interfere with any existing surface or underground improvements, workings, or facilities which may have been made for the purpose of Leasing Act operations, or with the utilization of such improvements, workings, or facilities.

(c) Any Leasing Act operations on lands covered by an unpatented or patented mining claim or millsite which shall be subject to a reservation to the United States of Leasing Act minerals as provided in this act shall be conducted, so far as reasonably practicable, in a manner which will avoid damage to any known deposit of any mineral not so reserved from such mining claim or millsite. Subject to the provisions of subsection (d) of this section 6, Leasing Act operations shall be so conducted as not to endanger or materially interfere with any existing surface or underground improvements, workings, or facilities which may have been made for the purpose of mining operations, or with the utilization of such improvements, workings, or facilities.

(d) If, upon petition of either the mining operator or the Leasing Act operator, any court of competent jurisdiction shall find that a particular use in connection with one of such operations cannot be reasonably and properly conducted without endangering or materially interfering with the then existing improvements, workings, or facilities of the other of such operations or with the utilization thereof, and shall find that under the conditions and circumstances, as they then appear, the injury or damage which would result from denial of such particular use would outweigh the injury or damage which would result to such then existing improvements, workings, or facilities or from interference with the utilization thereof if that particular use were allowed, then in such event such court may permit such use upon payment (or upon furnishing of security determined by the court to be adequate to secure payment) to the party or parties who would be thus injured or damaged, of an amount to be fixed by the court as constituting fair compensation for the then reasonably contemplated injury or damage which would result to such then existing improvements, workings, or facilities or from interference with the utilization thereof by reason of the allowance of such particular use.

(e) Where the same lands are being utilized for mining operations and Leasing Act operations, then upon request of the party conducting either of said operations, the party conducting the other of said operations shall furnish to and at the expense of such requesting party copies of any information which said other party may have, as to the situs of any improvements, workings, or facilities theretofore made upon such lands, and upon like request, shall permit such requesting party, at the risk of such requesting party, to have access at reasonable times to any such improvements, workings, or facilities for the purpose of surveying and checking or determining the situs thereof. If damage to or material interference with a party's improvements, workings, facilities, or with the utilization thereof shall result from such party's failure, after request, to so furnish to the requesting party such information or from denial of such access, such failure or denial shall relieve the requesting party of any liability for the damage or interference resulting by reason of such failure or denial. Failure of a party to furnish requested information or access shall not impose upon such party any liability to the requesting party other than for such costs of court and attorney's fees as may be allowed to the requesting party in enforcing by court action the obligations of this section as to the furnishing of information and access. The obligation hereunder of any party to furnish requested information shall be limited to map and survey information then available to such party with respect to the situs of improvements, workings, and facilities and the furnishing thereof shall not be deemed to constitute any representation as to the accuracy of such information.

SEC. 7. (a) Any applicant, offeror, permittee, or lessee under the mineral-leasing laws may file in the office of the Secretary of the Interior, or in such office as the Secretary may designate, a request for publication of notice of such application, offer, permit, or lease, provided, expressly, that not less than 90 days prior to the filing of such request for publication there shall have been filed for record in the county office of record for the county in which the lands covered thereby are situate a notice of the filing of such application or offer or of the issuance of such permit or lease which notice shall set forth the date of such filing or issuance, the name and address of the applicant, offeror, permittee or lessee and the description of the lands covered by such application, offer, permit or lease, showing section or sections of land surveyed, or, if such lands are unsurveyed, the section or sections of land which would probably be involved when the public lands surveyed are extended to such lands, or a tie by courses and distances to an approved United States Mineral Monument. The filing of such request for publication shall be accompanied by a certified copy of such recorded notice and an affidavit or affidavits of a person or persons over 21 years of age setting forth that the affiant or affiants have examined the lands involved in a reasonable effort to ascertain whether any person or persons were in possession of or engaged in the working of such lands or any part thereof, and, if no person or persons were found to be in possession of or engaged in the working of said lands or any part thereof on the date of such examination, setting forth such fact, or, if any person or persons were so found to be in possession or engaged in such working on the date of such examination, setting forth the name and address of each such person, unless affiant shall have been unable through reasonable inquiry to obtain information as to the name and address of any such person, in which event the affidavit shall set forth fully the nature and results of such inquiry.

Thereupon the Secretary of the Interior, or his designated representative, at the expense of the requesting person (who, prior to the commencement of publication, must furnish the agreement of the publisher to hold such requesting person alone responsible for charges of publication), shall cause notice of such application, offer, permit, or lease to be published in a newspaper having general circulation in the county in which the lands involved are situate.

Such notice shall describe the lands covered by such application, offer, permit, or lease, as provided heretofore in the notice to be filed in the office of record of the county in which the lands covered are situate, and shall notify whomever it may concern that if any person claiming or asserting under, or by virtue of, any unpatented mining claim, any right or interest in Leasing Act minerals as to such lands or any part thereof, shall fail to file in the office where such request for publication was filed (which office shall be specified in such notice) and within 150 days from the date of the first publication of such notice (which date shall be specified in such notice), a verified statement which shall set forth, as to such unpatented mining claim:

(1) The date of location;

(2) The book and page of recordation of the notice or certificate of location;

(3) The section or sections of the public land surveys which embrace such mining claim; or if such lands are unsurveyed, either the section or sections which would probably embrace such mining claim when the public land surveys are extended to such lands or a tie by courses and distances to an approved United States mineral monument;

(4) Whether such claimant is a locator or purchaser under such location; and

(5) The name and address of such claimant and names and addresses so far as known to the claimant of any other person or persons claiming any interest or interests in or under such unpatented mining claim;

such failure shall be conclusively deemed (i) to constitute a waiver and relinquishment by such mining claimant of any and all right, title, and interest under such mining claim as to, but only as to, Leasing Act minerals, and (ii) to constitute a consent by such mining claimant that such mining claim and any patent issued therefor, shall be subject to the reservation specified in section 4 of this act, and (iii) to preclude thereafter any assertion by such mining claimant of any right or title to or interest in any Leasing Act mineral by reason of such mining claim.

If such notice is published in a daily paper, it shall be published in the Wednesday issue for 9 consecutive weeks, or, if in a weekly paper, in 9 consecutive issues, or,

if in a semiweekly or triweekly paper, in the issue of the same day of each week for 9 consecutive weeks.

Within 15 days after the date of first publication of such notice, the person requesting such publication (1) shall cause a copy of such notice to be personally delivered to or to be sent by registered mail addressed to each person in possession or engaged in the working of the land whose name and address is shown by an affidavit filed as aforesaid, and to each person who may have filed, as to any lands described in said notice, a request for notices, as provided in subsection (d) of this section 7, and (2) shall file in the office where said request for publication was filed an affidavit showing that copies have been so delivered or mailed.

(b) If any claimant under any unpatented mining claim which embraces any of the lands described in any notice published in accordance with the provisions of subsection (a) of this section 7 shall fail to file a verified statement, as above provided, within 150 days from the date of the first publication of such notice, such failure shall be conclusively deemed, except as otherwise provided in subsection (e) of this section 7, (i) to constitute a waiver and relinquishment by such mining claimant of any and all right, title, and interest under such mining claim as to, but only as to, Leasing Act minerals, and (ii) to constitute a consent by such mining claimant that such mining claim and any patent issued therefor, shall be subject to the reservation specified in section 4 of this act, and (iii) to preclude thereafter any assertion by such mining claimant of any right or title to or interest in any Leasing Act mineral by reason of such mining claim.

(c) If any verified statement shall be filed by a mining claimant as provided in subsection (a) of this section 7, then the Secretary of the Interior or his designated representative shall fix a time and place for a hearing to determine the validity and effectiveness of the mining claimant's asserted right or interest in Leasing Act minerals, which place of hearing shall be in the county where said interest or part of it is located, unless the mining claimant agrees otherwise. The procedures with respect to notice of such a hearing and the conduct thereof, and in respect to appeals shall follow the then established general procedures and rules of practice of the Department of the Interior in respect to contests or protests affecting public lands of the United States. If, pursuant to such a hearing the final decision rendered shall affirm the validity and effectiveness of any mining claim as to Leasing Act minerals then no subsequent proceeding under section 7 of this act shall have any force or effect upon any rights or interests under the said so affirmed mining claim. If at any time prior to a hearing the person requesting publication of notice and any person filing a verified statement pursuant to such notice shall so stipulate, then to the extent so stipulated, but only to such extent, no hearing shall be held with respect to rights asserted under that verified statement, and to the extent defined by the stipulation the rights asserted under that verified statement shall be deemed to be unaffected by that particular published notice.

(d) Any person claiming any right in Leasing Act minerals under or by virtue of any unpatented mining claim and desiring to receive a copy of any notice of any application, offer, permit, or lease which may be published as above provided in subsection (a) of this section 7 and which may affect lands embraced in such mining claim, may cause to be filed for record in the county office of record where the notice or certificate of location of such mining claim shall have been recorded, a duly acknowledged request for a copy of any such notice. Such request for copies shall set forth the name and address of the person requesting copies and shall also set forth, as to each mining claim under which such person asserts rights in Leasing Act minerals:

(1) the date of location;

(2) the book and page of the recordation of the notice or certificate of location; and

(3) the section or sections of the public land surveys which embrace such mining claim; or if such lands are unsurveyed, either the section or sections which would probably embrace such mining claim when the public land surveys are extended to such lands or a tie by courses and distances to an approved United States mineral monument.

Other than in respect to the requirements of subsection (a) of this section 7 as to personal delivery or mailing of copies of notices and in respect to the provisions of subsection (e) of this section 7, no such request for copies of published notices and no statement or allegation in such request and no recordation thereof shall affect title to any mining claim or to any land, or be deemed to constitute constructive notice to any person, that the person requesting copies has, or claims, any right, title, or interest in or under any mining claim referred to in such request.

(e) If any applicant, offeror, permittee, or lessee shall fail to comply with the requirements of subsection (a) of this section 7 as to the personal delivery or mailing of a copy of notice to any person, the publication of such notice shall be deemed wholly ineffectual as to that person or as to the rights asserted by that person and the failure of that person to file a verified statement, as provided in such notice, shall in no manner affect, diminish, prejudice or bar any rights of that person.

SEC. 8. The owner or owners of any mining claim heretofore located may, at any time prior to issuance of patent therefor, waive and relinquish all rights thereunder to Leasing Act minerals. The execution and acknowledgment of such a waiver and relinquishment by such owner or owners and the recordation thereof in the office where the notice or certificate of location of such mining claim is of record shall render such mining claim thereafter subject to the reservation referred to in section 4 of this act and any patent issued therefor shall contain such a reservation, but no such waiver or relinquishment shall be deemed in any manner to constitute any concession as to the date of priority of rights under said mining claim or as to the validity thereof.

SEC. 9. The Atomic Energy Act is hereby amended as follows:

(a) Section 5 (b) (5) is revised to read:

(5) Acquisition.—The Commission is authorized, to the extent it deems necessary to effectuate the provisions of this act, to purchase, take, requisition, condemn, or otherwise acquire—

(A) supplies of source materials or any interest in real property containing deposits of source materials, and

(B) rights to enter upon any real property deemed by it to have possibilities of containing deposits of source materials and to conduct prospecting and exploratory operations for such deposits.

Any purchase made under this paragraph may be made without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing that advertising is not reasonably practicable, and partial and advance payments may be made thereunder. The Commission may establish guaranteed prices for all source materials delivered to it within a specified time. Just compensation shall be made for any property or interest in property purchased, taken, requisitioned, condemned, or otherwise acquired under this paragraph.

(b) Section 5 (b) (6) is revised to read:

(6) Operations on lands belonging to the United States: The Commission is authorized, to the extent it deems necessary to effectuate the provisions of this act, to issue leases or permits for prospecting for, exploration for, mining, or removal of deposits of source materials (or for any or all of these purposes) in lands belonging to the United States.

(c) Section 5 (b) (7) is revised to read:

"(7) Public lands: No individual, corporation, partnership, or association, which had any part, directly or indirectly, in the development of the atomic bomb project, may benefit by any location, entry, or settlement upon the public domain made after such individual corporation, partnership, or association took part in such project, if such individual, corporation, partnership, or association, by reason of having had such part in the development of the atomic bomb project, acquired confidential official information as to the existence of deposits of such uranium, thorium, or other materials in the specific lands upon which such location, entry, or settlement is made, and subsequent to the date of the enactment of this act made such location, entry, or settlement or caused the same to be made for his, or its, or their benefit. In cases where any patent, conveyance, lease, permit, or other authorization has been issued, which reserved to the United States source materials and the right to enter upon the land and prospect for, mine, and remove the same, the head of the department or agency which issued the patent, conveyance, lease, permit, or other authorization shall, on application of the holder thereof, issue a new or supplemental patent, conveyance, lease, permit, or other authorization without such reservation."

(d) Notwithstanding the provisions of the Atomic Energy Act, and particularly section 5 (b) 7 thereof, prior to its amendment hereby, or the provisions of the act of August 12, 1953 (67 Stat. 539), and particularly section 3 thereof, any mining claim, heretofore located under the mining laws of the United States, for, or based upon a discovery of a mineral deposit which is a fissionable source material and which, except for the possible contrary construction of said Atomic Energy Act, would have been locatable under such mining laws, shall, insofar as adversely affected by such possible contrary construction, be valid and effective, in all respects to the same extent as if said mineral deposit were a locatable mineral deposit other than a fissionable source material.

SEC. 10. As used in this act "mineral leasing laws" shall mean the act of October 20, 1914 (38 Stat. 741); the act of February 25, 1920 (41 Stat. 437); the act of April 17, 1926 (44 Stat. 301); the act of February 7, 1927 (44 Stat. 1057); and all acts heretofore or hereafter enacted which are amendatory of or supplementary to any of the foregoing acts; "Leasing Act minerals" shall mean all minerals which, upon the effective date of this act, are provided in the mineral leasing laws to be disposed of thereunder; "Leasing Act operations" shall mean operations conducted under a lease, permit, or license issued under the mineral leasing laws in or incidental to prospecting for, drilling for, mining, treating, storing, transporting, or removing Leasing Act minerals; "mining operations" shall mean operations under any unpatented or patented mining claim or millsite in or incidental to prospecting for, mining, treating, storing, transporting, or removing minerals other than Leasing Act minerals and any other use under any claim of right or title based upon such mining claim or millsite; "Leasing Act operator" shall mean any party who shall conduct Leasing Act operations; "mining operator" shall mean any party who shall conduct mining operations; "Atomic Energy Act" shall mean the act of August 1, 1946 (60 Stat. 755), as amended; "Atomic Energy Commission" shall mean the United States Atomic Energy Commission established under the Atomic Energy Act or any amendments thereof; "fissionable source material" shall mean uranium, thorium, and all other materials referred to in

section 5 (b) (1) of the Atomic Energy Act as reserved or to be reserved to the United States; "uranium lease application" shall mean an application for a uranium lease filed with said Commission with respect to lands which would be open for entry under the mining laws except for their being lands embraced within an offer, application, permit, or lease under the mineral leasing laws or lands known to be valuable for minerals leasable under those laws; "uranium lease" shall mean a uranium mining lease issued by said Commission with respect to any such lands; and "person" shall mean any individual, corporation, partnership, or other legal entity.

SEC. 11. If any provision of this act, or the application of such provision to any person or circumstances, is held unconstitutional, invalid, or unenforcible, the remainder of this act or the application of such provision to persons or circumstances other than those as to which it is held unconstitutional, invalid, or unenforcible, shall not be affected thereby.

Mr. D'EWART (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. ASPINALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Page 28, line 4, strike period and insert comma in lieu thereof and add the following: "provided, however, that such reservation contained in the patent shall apply only to the lands included in said mining claim which, at the time of the issuance of such patent are—

"(a) included in a permit or lease under the mineral leasing laws; or

"(b) covered by an application or offer for a permit or lease filed under the mineral leasing laws; or

"(c) known to be valuable for minerals subject to disposition under the mineral leasing laws."

Mr. ASPINALL. Mr. Chairman, when the bill was considered in committee there was some objection to the possibility that owners of present mining claims which had not ripened into patents might be denied the right to a fee-simple title without a reservation in the patent expressly reserving the leasable minerals to the Government; also that mining claims located hereafter which would not likely have any leasable mineral development might also be denied the right to have a fee-simple title without an expressed reservation in the patent reserving the leasable minerals to the Federal Government. So it was concluded in a conference between the sponsor of this bill and the gentleman from California [Mr. ENGLE], and myself who sponsors a similar bill that an amendment taking care of that situation might very well be in order.

The amendment which is proposed provides that a patent issued hereafter on lands covered by a mining claim shall not carry the reservation if at the time of the issuance of said patent, there is no mineral leasing lease or permit or an application or offer for a lease or permit covering the lands to be described in the patent. Also, that unless the area is a known area to be valuable for minerals subject to disposition under the mineral leasing laws. Keep in mind that this act provides that the same individual may be both a lessee of the Government, and a claimant under the mining laws of the Government if he so desires; and this simply provides that the claimant receiving a patent shall under certain circumstances proceed as he has heretofore in the past and receive a fee-simple title without any reservation of the leasable minerals. My point is that this will have very little effective use because it will not be needed, but if it is needed in any particular instance, in my opinion it does not harm the legislation at all. I therefore ask your support.

Mr. ENGLE. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from California.

Mr. ENGLE. It is true, is it not, that in the absence of this amendment section 4 would provide a hidden reservation, so to speak, in all mineral claims and in all patents coming from mineral claims.

Mr. ASPINALL. It might be so interpreted.

Mr. ENGLE. May I say to the gentleman that I concur in his amendment; in fact, I helped work it out. I have no objection to reservations of minerals when they are known to exist, but it would be patently unfair, in my opinion, to have mining claims go to patent and then 20 years later the Government exercise a hidden reservation in regard to something that was wholly unknown at the time the claim was filed and the patent was matured.

Mr. D'EWART. Mr. Chairman, will the gentleman yield?

Mr. ASPINALL. I yield to the gentleman from Montana.

Mr. D'EWART. The members of the committee on this side have discussed the amendment and are agreeable to it and think it will improve the bill. We hope it will be adopted.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. SAYLOR. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

On page 22, line 4, after the words "prior to", strike out "February 10, 1954," and insert "the effective date of this act."

Mr. SAYLOR. Mr. Chairman, as was explained by the gentleman from Utah [Mr. DAWSON], the author of this bill, at the last session of Congress a similar situation arose and Congress validated those claims made by discoverers of uranium up until the 1st day of January 1951. This bill would extend the period for validation of claims until the 10th day of February 1954. From the 10th day of February 1954, the date when the Atomic Energy Commission issued Circular Number 7, down until the effective date of this act there will be a hiatus; there will be a question as to whether or not any claims filed in that period of time are valid. All this amendment does is to say that the provisions of this bill shall extend not just from 1939 down until the 10th day of February 1954, but down until the effective date of the act. I believe this is an improvement to the bill and will prevent anyone's having to come back next year and correct any claims filed between the 10th of February 1954 and the effective date of the act.

Mr. DAWSON of Utah. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, as I stated before, the people concerned with these matters, the industry, the oil and gas people, the mining people, have spent a considerable length of time trying to work out a period of time when they feel this would be most equitable to those who have located their claims.

Far be it from me to attempt to go back and try to iron out those differences. There are some conflicts. However, as I stated before, I feel that this change should be opposed because the big majority of the people out there who have gone out in good faith and located their claims have received the protection they are entitled to under the present wording of the bill. Therefore, I hope the Committee will oppose this amendment and vote it down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. SAYLOR].

The question was taken; and the Chair being in doubt, the Committee divided, and there were—ayes 6, noes 16.

So the amendment was rejected.

The CHAIRMAN. The question is on the committee amendment, as amended.

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KEATING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 8896) to amend the mineral leasing laws to provide for multiple mineral development of the same tracts of the public lands, and for other purposes, pursuant to House Resolution 639, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed, and a motion to reconsider was laid on the table.

Mr. D'EWART. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3344) to amend the mineral leasing laws and the mining laws to provide for multiple mineral development of the same tracts of the public lands, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That, (a) subject to the conditions and provisions of this act and to any valid intervening rights acquired under the laws of the United States, any mining claim located under the mining laws of the United States subsequent to July 31, 1939, and prior to February 10, 1954, on lands of the United States, which at the time of location were—

(1) included in a permit or lease issued under the mineral leasing laws; or

(2) covered by an application or offer for a permit or lease which had been filed under the mineral leasing laws; or

(3) known to be valuable for minerals subject to disposition under the mineral leasing laws;

shall be effective to the same extent in all respects as if such lands at the time of location, and at all times thereafter, had not been so included or covered or known: *Provided, however,* That, in order to be entitled to the benefits of this act, the owner of any such mining claim located prior to January 1, 1953, must have posted and filed for record, within the time allowed by the provisions of the act of August 12, 1953 (67 Stat. 539), an amended notice of location as to such mining claim, stating that such notice was filed pursuant to the provisions of said act of August 12, 1953, and for the purpose of obtaining the benefits thereof: *And provided further,* That, in order to obtain the benefits of this act, the owner of any such mining claim located subsequent to December 31, 1952, and prior to February 10, 1954, not later than 120 days after the date of enactment of this act, must post on such claim in the manner required for posting notice of location of mining claims and file for record in the office where the notice or certificate of location of such claim is of record an amended notice of location for such claim, stating that such notice is filed pursuant to the provisions of this act and for the purpose of obtaining the benefits thereof and, within said 120-day period, if such owner shall have filed a uranium lease application as to the tract covered by such mining claim, must file with the Atomic Energy Commission a withdrawal of such uranium lease application or, if a uranium lease shall have issued pursuant thereto, a release of such lease, and must record a notice of the filing of such withdrawal or release in the county office wherein such notice or certificate of location shall have been filed for record.

(b) Labor performed or improvements made after the original location of and upon or for the benefit of any mining claim which shall be entitled to the benefits of this act under the provisions of subsection (a) of this section 1, shall be recognized as applicable to such mining claim for all purposes to the same extent as if the validity of such mining claim were in no respect dependent upon the provisions of this act.

(c) As to any land covered by any mining claim which is entitled to the benefits of this act under the provisions of subsection (a) of this section 1, any withdrawal or reservation of lands made after the original location of such mining claim is hereby modified and amended so that the effect thereof upon such mining claim shall be the same as if such mining claim had been located upon lands of the United States which, subsequent to July 31, 1939, and prior to the date of such withdrawal or reservation, were subject to location under the mining laws of the United States.

SEC. 2. (a) If any mining claim which shall have been located subsequent to December 31, 1952, and prior to December 11, 1953, and which shall be entitled to the benefits of this act, shall cover any lands embraced within any mining claim which shall have been located prior to January 1, 1953, and which shall be entitled to the benefits of this act, then as to such area of conflict said mining claim so located subsequent to December 31, 1952, shall be deemed to have been located December 11, 1953.

(b) If any mining claim hereafter located shall cover any lands embraced within any mining claim which shall have been located prior to February 10, 1954, and which shall be entitled to the benefits of this act, then as to such area of conflict said mining claim hereafter located shall be deemed to have been located 121 days after the date of the enactment of this act.

SEC. 3. (a) Subject to the conditions and provisions of this act and to any valid prior rights acquired under the laws of the United States, the owner of any pending uranium lease application or of any uranium lease shall have, for a period of 120 days after the date of enactment of this act, as limited in subsection (b) of this section 3, the right to locate mining claims upon the lands covered by said application or lease.

(b) Any rights under any such mining claim so hereafter located pursuant to the provisions of subsection (a) of this section 3 shall be subject to any rights of the owner of any mining claim which was located prior to February 10, 1954, and which was valid at the date of the enactment of this act or which may acquire validity under the provisions of this act. As to any lands covered by a uranium lease and also by a pending uranium lease application, the right of mining location under this section 3 as between the owner of said lease and the owner of said application, shall be deemed as to such conflict area to be vested in the owner of said lease. As to any lands embraced in more than one such pending uranium lease application, such right of mining location, as between the owners of such conflicting applications, shall be deemed to be vested in the owner of the prior application. Priority of such an application shall be determined by the time of posting on a tract then available for such leasing of a notice of lease application in accordance with paragraph (c) of the Atomic Energy Commission's Domestic Program Circular 7 (10 C. F. R. 60.7 (c)) provided there shall have been timely compliance with the other provisions of said paragraph (c) or, if there shall not have been such timely compliance, then by the time of the filing of the uranium lease application with the Atomic Energy Commission. Any rights under any mining claim located under the provisions of this section 3 shall terminate at the expiration of 30 days after the filing for record of the notice or certificate of location of such mining claim unless, within said 30-day period, the owner of the uranium lease application or uranium lease upon which the location of such mining claim was predicated shall have filed with the Atomic Energy Commission a withdrawal of said application or a release of said lease and shall have recorded a notice of the filing of such withdrawal or release in the county office wherein such notice or certificate of location shall be of record.

(c) Except as otherwise provided in subsections (a) and (b) of this section 3, no mining claim hereafter located shall be valid as to any lands which at the time of such location were covered by a uranium lease application or a uranium lease. Any tract upon which a notice of lease application has been posted in accordance with said paragraph (c) of said Circular 7 shall be deemed to have been included in a uranium lease application from and after the time of the posting of such notice of lease application: *Provided,* That there shall have been timely compliance with the other provisions of said paragraph (c) or, if there shall not have been such timely compliance, then from and after the time of the filing of a uranium lease application with the Atomic Energy Commission.

SEC. 4. Every mining claim or millsite hereafter located under the mining laws of the United States and every mining claim or millsite heretofore so located which shall be entitled to benefits under the first three sections of this act shall be subject to a reservation to the United States of all Leasing Act minerals and of the right (as limited in sec. 6 hereof) of the United States, its lessees, permittees, and licensees to enter upon the land covered by such mining claim or millsite and to prospect for, drill for, mine, treat, store, transport, and remove Leasing Act minerals and to use so much of the surface and subsurface of such mining claim or millsite as may be necessary for such purposes, and whenever reasonably necessary, for the purpose of prospecting for, drilling for, mining, treating, storing, transporting, and removing Leasing Act minerals on and from other lands; and any patent issued for any such mining claim or millsite shall contain such reservation.

SEC. 5. Subject to the conditions and provisions of this act, mining claims and millsites may hereafter be located under the mining laws of the United States on lands of the United States which at the time of location are—

(a) included in a permit or lease issued under the mineral leasing laws; or

(b) covered by an application or offer for a permit or lease filed under the mineral leasing laws; or

(c) known to be valuable for minerals subject to disposition under the mineral leasing laws;

to the same extent in all respects as if such lands were not so included or covered or known.

SEC. 6. (a) Where the same lands are being utilized for mining operations and Leasing Act operations, each of such operations shall be conducted, so far as reasonably practicable, in a manner compatible with such multiple use.

(b) Any mining operations pursuant to rights under any unpatented or patented mining claim or millsite which shall be subject to a reservation to the United States of Leasing Act minerals as provided in this act, shall be conducted, so far as reasonably practicable, in a manner which will avoid damage to any known deposit of any Leasing Act mineral. Subject to the provisions of subsection (d) of this section 6, mining operations shall be so conducted as not to endanger or materially interfere with any existing surface or underground improvements, workings, or facilities which may have been made for the purpose of Leasing Act operations, or with the utilization of such improvements, workings, or facilities.

(c) Any Leasing Act operations on lands covered by an unpatented or patented mining claim or millsite which shall be subject to a reservation to the United States of Leasing Act minerals as provided in this act, shall be conducted, so far as reasonably practicable, in a manner which will avoid damage to any known deposit of any mineral not so reserved from such mining claim or millsite. Subject to the provisions of subsection (d) of this section 6, Leasing Act operations shall be so conducted as not to endanger or materially interfere with any existing surface or underground improvements, workings, or facilities which may have been made for the purpose of mining operations, or with the utilization of such improvements, workings, or facilities.

(d) If, upon petition of either the mining operator or the Leasing Act operator, any court of competent jurisdiction shall find that a particular use in connection with one of such operations cannot be reasonably and properly conducted without endangering or materially interfering with the then existing improvements, workings, or facilities of the other of such operations or with the

utilization thereof, and shall find that under the conditions and circumstances, as they then appear, the injury or damage which would result from denial of such particular use would outweigh the injury or damage which would result to such then existing improvements, workings, or facilities or from interference with the utilization thereof if that particular use were allowed, then and in such event such court may permit such use upon payment (or upon furnishing of security determined by the court to be adequate to secure payment) to the party or parties who would be thus injured or damaged, of an amount to be fixed by the court as constituting fair compensation for the then reasonably contemplated injury or damage which would result to such then existing improvements, workings, or facilities or from interference with the utilization thereof by reason of the allowance of such particular use.

(e) Where the same lands are being utilized for mining operations and Leasing Act operations, then upon request of the party conducting either of said operations, the party conducting the other of said operations shall furnish to and at the expense of such requesting party copies of any information which said other party may have, as to the situs of any improvements, workings, or facilities theretofore made upon such lands, and upon like request, shall permit such requesting party, at the risk of such requesting party, to have access at reasonable times to any such improvemetns, workings, or facilities for the purpose of surveying and checking or determining the situs thereof. If damage to or material interference with a party's improvements, workings, facilities, or with the utilization thereof shall result from such party's failure, after request, to so furnish to the requesting party such information or from denial of such access, such failure or denial shall relieve the requesting party of any liability for the damage or interference resulting by reason of such failure or denial. Failure of a party to furnish requested information or access shall not impose upon such party any liability to the requesting party other than for such costs of court and attorney's fees as may be allowed to the requesting party in enforcing by court action the obligations of this section as to the furnishing of information and access. The obligation hereunder of any party to furnish requested information shall be limited to map and survey information then available to such party with respect to the situs of improvements, workings, and facilities and the furnishing thereof shall not be deemed to constitute any representation as to the accuracy of such information.

SEC. 7. (a) Any applicant, offeror, permittee, or lessee under the mineral leasing laws may file in the office of the Secretary of the Interior, or in such office as the Secretary may designate, a request for publication of notice of such application, offer, permit, or lease, provided expressly, that not less than 90 days prior to the filing of such request for publication there shall have been filed for record in the county office of record for the county in which the lands covered thereby are situate a notice of the filing of such application or offer or of the issuance of such permit or lease which notice shall set forth the date of such filing or issuance, the name and address of the applicant, offeror, permittee or lessee and the description of the lands covered by such application, offer, permit or lease. The filing of such request for publication shall be accompanied by a certified copy of such recorded notice and an affidavit or affidavits of a person or persons over 21 years of age setting forth that the affiant or affiants have examined the lands involved in a reasonable effort to ascertain whether any person or persons were in actual possession of or engaged in the working of such lands or any part thereof, and, if no person or persons were found to be in actual possession of or engaged in the working of said lands or any part thereof on the date of such examination, setting forth such fact, or, if any person or persons were so found to be in actual possession or engaged in such working on the date of such examination, setting forth the name and address of each such person, unless affiant shall have been unable through reasonable inquiry to obtain information as to the name and address of any such person, in which event the affidavit shall set forth fully the nature and results of such inquiry.

The filing of such request for publication shall also be accompanied by the certificate of a title or abstract company, or of a title abstractor, or of an attorney, based upon such company's, abstractor's, or attorney's examination of the instruments affecting the lands involved, of record in the public records of the county in which said lands are situate as shown by the indices of the public records in the county office of record for said county, setting forth the name of any person disclosed by said instruments to have an interest in said lands under any unpatented mining claim heretofore located, together with the address of such person if disclosed by such instruments of record.

Thereupon the Secretary of the Interior, or his designated representative, at the expense of the requesting person (who, prior to the commencement of publication, must furnish the agreement of the publisher to hold such requesting person alone responsible for charges of publication), shall cause notice of such application, offer permit, or lease to be published in a newspaper having general circulation in the county in which the lands involved are situate.

Such notice shall describe the lands covered by such application, offer, permit, or lease and shall notify whomever it may concern that if any person claiming or asserting under, or by virtue of, any unpatented mining claim heretofore located, any right or interest in Leasing Act minerals as to such lands or any part thereof, shall fail to file in the office where such request for publication was filed (which office shall be specified in such notice) and within 150 days from the date of the first publication of such notice, a verified statement which shall set forth, as to such unpatented mining claim:

(1) The date of location;

(2) The book and page of recordation of the notice or certificate of location;

(3) The section or sections of the public land surveys which embrace such mining claim; or if such lands are unsurveyed, either the section or sections which would probably embrace such mining claim when the public land surveys are extended to such lands or a tie by courses and distances to an approved United States mineral monument;

(4) Whether such claimant is a locator or purchaser under such location; and

(5) The name and address of such claimant and names and addresses so far as known to the claimant of any other person or persons claiming any interest or interests in or under such unpatened mining claim;

such failure shall be conclusively deemed (i) to constitute a waiver and relinquishment by such mining claimant of any and all right, title, and interest under such mining claim as to, but only as to, Leasing Act minerals, and (ii) to constitute a consent by such mining claimant that such mining claim and any patent issued therefor, shall be subject to the reservation specified in section 4 of this act, and (iii) to preclude thereafter any assertion by such mining claimant of any right or title to or interest in any Leasing Act mineral by reason of such mining claim.

If such notice is published in a daily paper, it shall be published in the Wednesday issue for 9 consecutive weeks, or, if in a weekly paper in 9 consecutive issues, or, if in a semiweekly or triweekly paper, in the issue of the same day of each week for 9 consecutive weeks.

Within 15 days after the date of first publication of such notice, the person requesting such publication (1) shall cause a copy of such notice to be personally delivered to or to be mailed by registered mail addressed to each person in possession or engaged in the working of the land whose name and address is shown by an affidavit filed as aforesaid, and to each person who may have filed, to any lands described in said notice, a request for notices, as provided in subsection (d) of this section 7, and shall cause a copy of such notice to be mailed by registered mail to each person whose name and address is set forth in the title or abstract company's or title abstrator's or attorney's certificate filed as aforesaid, as having an interest in the lands described in said notice under any unpatented mining claim heretofore located, such notice to be directed to such person's address as set forth in such certificate; and (2) shall file in the office where said request for publication was filed an affidavit showing that copies have been so delivered or mailed.

(b) If any claimant under any unpatented mining claim heretofore located which embraces any of the lands described in any notice published in accordance with the provisions of subsection (a) of this section 7 shall fail to file a verified statement, as above provided, within 150 days from the date of the first publication of such notice, such failure shall be conclusively deemed, except as otherwise provided in subsection (e) of this section 7, (i) to constitute a waiver and relinquishment of such mining claimant of any and all right, title, and interest under such mining claim as to, but only as to, Leasing Act minerals, and (ii) to constitute a consent by such mining claimant that such mining claim and any patent issued therefor, shall be subject to the reservation specified in section 4 of this act, and (iii) to preclude thereafter any assertion by such mining claimant of any right or title to or title to or interest in any Leasing Act mineral by reason of such mining claim.

(c) If any verified statement shall be filed by a mining claimant as provided in subsection (a) of this section 7, then the Secretary of the Interior or his designated representative shall fix a time and place for a hearing to determine the validity and effectiveness of the mining claimant's asserted right or interest in Leasing Act minerals. The procedures with respect to notice of such a hearing and the conduct thereof, and in respect to appeals shall follow the then established general procedures and rules of practice of the Department of the Interior in respect to contests or protests affecting public lands of the United States. If at any time prior to a hearing the person requesting publication of notice and any person filing a verified statement pursuant to such notice shall so stipulate, then to the extent so stipulated, but only to such extent, no hearing shall be held with respect to rights asserted under that verified statement, and to the extent defined by the stipulation the rights asserted under that verified statement shall be deemed unaffected by that particular published notice.

(d) Any person claiming any right in Leasing Act minerals under or by virtue of any unpatented mining claim heretofore located and desiring to receive a copy of any notice of any application, offer, permit, or lease which may be published as above provided in subsection (a) of this section 7, and which may affect lands embraced in such mining claim, may cause to be filed for record in the court office of record where the notice or certificate of location of such mining claim shall have been recorded, a duly acknowledged request for a copy of any such notice. Such request for copies shall set forth the name and address of the person requesting copies and shall also set forth, as to each

mining claim under which such person asserts rights in Leasing Act minerals:

(1) the date of location;

(2) the book and page of the recordation of the notice or certificate of location; and

(3) the section or sections of the public land surveys which embrace such mining claim; or if such lands are unsurveyed, either the section or sections which would probably embrace such mining claim when the public land surveys are extended to such lands or a tie by courses and distances to an approved United States mineral monument.

Other than in respect to the requirements of subsection (a) of this section 7 as to personal delivery or mailing of copies of notices and in respect to the provisions of subsection (e) of this section 7, no such request for copies of published notices and no statement or allegation in such request and no recordation thereof shall affect title to any mining claim or to any land, or be deemed to constitute constructive notice to any person that the person requesting copies has, or claims, any right, title, or interest in or under any mining claim referred to in such request.

(e) If any applicant, offeror, permittee, or lessee shall fail to comply with the requirements of subsection (a) of this section 7 as to the personal delivery or mailing of a copy of notice to any person, the publication of such notice shall be deemed wholly ineffectual as to that person or as to the rights asserted by that person and the failure of that person to file a verified statement, as provided in such notice, shall in no manner affect, diminish, prejudice or bar any rights of that person.

SEC. 8. The owner or owners of any mining claim heretofore located may, at any time prior to issuance of patent therefor, waive and relinquish all rights thereunder to Leasing Act minerals. The execution and acknowledgment of such a waiver and relinquishment by such owner or owners and the recordation thereof in the office where the notice or certificate of location of such mining claim is of record shall render such mining claim thereafter subject to the reservation referred to in section 4 of this act and any patent issued therefor shall contain such a reservation, but no such waiver or relinquishment shall be deemed in any manner to constitute any concession as to the date of priority of rights under said mining claim or as to the validity thereof.

SEC. 9. Notwithstanding any previous act, regulation, or decision, the reservation of minerals in lands withdrawn from the public domain for mineral purposes by Executive order, proclamation, or other administrative procedure shall be applicable only to those minerals and for the purposes expressed in said Executive order, proclamation, or other administrative procedure. The Secretary of the Interior shall retain the power and authority to dispose of other leasable minerals in said lands by leasing procedures applicable to the public domain. This section shall become effective April 1, 1955.

SEC. 10. The Atomic Energy Act is hereby amended as follows:

(a) Section 5 (b) (5) is revised to read:

"(5) Acquisition: The Commission is authorized, to the extent it deems necessary to effectuate the provisions of this Act, to purchase, take, requisition, condemn, or otherwise acquire—

"(A) supplies of source materials or any interest in real property containing deposits of source materials; and

"(B) rights to enter upon any real property deemed by it to have possibilities of containing deposits of source materials and to conduct prospecting and exploratory operations for such deposits.

Any purchase made under this paragraph may be made without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing that advertising is not reasonably practicable, and partial and advance payments may be made thereunder. The Commission may establish guaranteed prices for all source materials delivered to it within a specified time. Just compensation shall be made for any property or interest in property taken, requisitioned, or condemned under this paragraph."

(b) Section 5 (b) (6) is revised to read:

"(6) Operations on lands belonging to the United States: The Commission is authorized, to the extent it deems necessary to effectuate the provisions of this act, to issue leases or permits for prospecting for, exploration for, mining, or removal of deposits of source materials (or for any or all of these purposes) in lands belonging to the United States."

(c) Section 5 (b) (7) is revised to read:

"(7) Public lands: No individual, corporation, partnership, or association, which had any part, directly or indirectly, in the development of the atomic bomb project, may benefit by any location, entry, or settlement upon the public domain made after such individual, corporation, partnership, or association took part in such project, if such individual, corporation, partnership, or association, by reason of having had such part in the development of the atomic bomb project, acquired confidential official information as to the existence of deposits of such uranium, thorium, or other materials, in the specific lands upon which such location, entry, or settlement is made, and subsequent to the date of the enactment of this act made such location, entry, or settlement or cause the same to be made for his, or its, or their benefit. In cases where any patent, conveyance, lease, permit, or other authorization has been issued, which reserved to the United States source materials and the right to enter upon the land and prospect for, mine, and remove the same, the head of the department or agency which issued the patent, conveyance, lease, permit, or other authorization shall, on application of the holder thereof, issue a new or supplemental patent, conveyance, lease, permit, or other authorization without such reservation."

(d) Notwithstanding the provisions of the Atomic Energy Act, and particularly section 5 (b) (7) thereof, prior to its amendment hereby, or the provisions of the act of August 12, 1953 (67 Stat. 539), and particularly section 3 thereof, any mining claim, heretofore located under the mining laws of the United States, for, or based upon a discovery of a mineral deposit which is a fissionable source material and which, except for the possible contrary construction of said Atomic Energy Act, would have been locatable under such mining laws, shall, insofar as adversely affected by such possible contrary construction, be valid and effective, in all respects to the same extent as if said mineral deposit were a locatable mineral deposit other than a fissionable source material.

SEC. 11. As used in this act "mineral leasing laws" shall mean the act of October 20, 1914 (38 Stat. 741); the act of February 25, 1920 (41 Stat. 437); the act of April 17, 1926 (44 Stat. 301); the act of February 7, 1927 (44 Stat. 1057); and all acts heretofore or hereafter enacted which are amendatory of or supplementary to any of the foregoing acts; "Leasing Act minerals" shall mean all minerals which, upon the effective date of this act, are provided in the mineral leasing laws to be disposed of thereunder, "Leasing Act operations" shall mean operations conducted under a lease, permit, or license issued under the mineral leasing laws in or incidental to prospecting for, drilling for, mining, treating, storing, transporting, or removing Leasing Act minerals; "mining operations" shall mean operations under any unpatented or patented mining claim or millsite in or incidental to prospecting for, mining, treating, storing, transporting, or removing minerals other than Leasing Act minerals and any other use under any claim of right or title based upon such mining claim or millsite; "Leasing Act operator" shall mean any party who shall conduct Leasing Act operations; "mining operator" shall mean any party who shall conduct mining operations; "Atomic Energy Act" shall mean the act of August 1, 1946 (60 Stat. 755), as amended; "Atomic Energy Commission" shall mean the United States Atomic Energy Commission established under the Atomic Energy Act or any amendments thereof; "fissionable source material" shall mean uranium, thorium, and all other materials referred to in section 5 (b) (1) of the Atomic Energy Act as reserved or to be reserved to the United States; "uranium lease application" shall mean an application for a uranium lease filed with said Commission with respect to lands which would be open for entry under the mining laws except for their being lands embraced within an offer, application, permit, or lease under the mineral leasing laws or lands known to be valuable for minerals leasable under those laws; "uranium lease" shall mean a uranium mining lease issued by said Commission with respect to any such lands; and "person" shall mean any individual, corporation, partnership, or other legal entity.

SEC. 12. If any provision of this act, or the application of such provision to any person or circumstances, is held unconstitutional, invalid, or unenforcible, the remainder of this act or the application of such provision to persons or circumstances other than those as to which it is held unconstitutional, invalid, or unenforcible, shall not be affected thereby.

Mr. D'EWART. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by D'EWART: Strike out all after the enacting clause and insert the langauge of H. R. 8896 as passed:

"That, (a) subject to the conditions and provisions of this act and to any valid intervening rights acquired under the laws of the United States, any mining claim located under the mining laws of the United States subsequent to July 31, 1939, and prior to February 10, 1954, on lands of the United States, which at the time of location were—

"(1) included in a permit or lease issued under the mineral leasing laws; or

"(2) covered by an application or offer for a permit or lease which had been filed under the mineral leasing laws; or

"(3) known to be valuable for minerals subject to disposition under the mineral leasing laws.

shall be effective to the same extent in all respects as if such lands at the time of location, and at all times thereafter, had not been so included or covered or known: *Provided, however,* That, in order to be entitled to the benefits of this act, the owner of any such mining claim located prior to January 1, 1953, must have posted and filed for record, within the time allowed by the provisions of the act of August 12, 1953 (67 Stat. 539), an amended notice of location as to such mining claim, stating that such notice was filed pursuant to the provisions of said act of August 12, 1953, and for the purpose of obtaining the benefits thereof: *And provided further,* That in order to obtain the benefits of this act, the owner of any such mining claim located subsequent to December 31, 1952, and prior to February 10, 1954, not later than 120 days after the date of enactment of this act, must post on such claim in the manner required for posting notice of location of mining claims and file for record in the office where the notice or certificate of location of such claim is of record

an amended notice of location for such claim, stating that such notice is filed pursuant to the provisions of this act and for the purpose of obtaining the benefits thereof and, within said 120-day period, if such owner shall have filed a uranium-lease application as to the tract covered by such mining claim, must file with the Atomic Energy Commission a withdrawal of such uranium-lease application or, if a uranium lease shall have issued pursuant thereto, a release of such lease, and must record a notice of the filing of such withdrawal or release in the county office wherein such notice or certificate of location shall have been filed for record.

"(b) Labor performed or improvements made after the original location of and upon or for the benefit of any mining claim which shall be entitled to the benefits of this act under the provisions of subsection (a) of this section 1, shall be recognized as applicable to such mining claim for all purposes to the same extent as if the validity of such mining claim were in no respect dependent upon the provisions of this act.

"(c) As to any land covered by any mining claim which is entitled to the benefits of this act under the provisions of subsection (a) of this section 1, any withdrawal or reservation of lands made after the original location of such mining claim is hereby modified and amended so that the effect thereof upon such mining claim shall be the same as if such mining claim had been located upon lands of the United States which, subsequent to July 31, 1939, and prior to the date of such withdrawal or reservation, were subject to location under the mining laws of the United States.

"SEC. 2. (a) If any mining claim which shall have been located subsequent to December 31, 1952, and prior to December 11, 1953, and which shall be entitled to the benefits of this act, shall cover any lands embraced within any mining claim which shall have been located prior to January 1, 1953, and which shall be entitled to the benefits of this act, then as to such area of conflict said mining claim so located subsequent to December 31, 1952, shall be deemed to have been located December 11, 1953.

"(b) If any mining claim hereafter located shall cover any lands embraced within any mining claim which shall have been located prior to February 10, 1954, and which shall be entitled to the benefits of this act, then as to such area of conflict said mining claim hereafter located shall be deemed to have been located 121 days after the date of the enactment of this act.

"SEC. 3. (a) Subject to the conditions and provisions of this act and to any valid prior rights acquired under the laws of the United States, the owner of any pending uranium lease application or of any uranium lease shall have, for a period of 120 days after the date of enactment of this act, as limited in subsection (b) of this section 3, the right to locate mining claims upon the lands covered by said application or lease.

"(b) Any rights under any such mining claim so hereafter located pursuant to the provisions of subsection (a) of this section 3 shall be subject to any rights of the owner of any mining claim which was located prior to February 10, 1954, and which was valid at the date of the enactment of this act or which may acquire validity under the provisions of this act. As to any lands covered by a uranium lease and also by a pending uranium lease application, the right of mining location under this section 3, as between the owner of said lease and the owner of said application, shall be deemed as to such conflict area to be vested in the owner of said lease. As to any lands embraced in more than one such pending uranium lease application, such right of mining location, as between the owners of such conflicting applications, shall be deemed to be vested in the owner of the prior application. Priority of such an application shall be determined by the time of posting on a tract then available for such leasing of a notice of lease application in accordance with paragraph (c) of the Atomic Energy Commission's Domestic Uranium Program Circular 7 (10 C. F. R. 60.7 (c)) provided there shall have been timely compliance with the other provisions of said paragraph (c) or, if there shall not have been such timely compliance, then by the time of the filing of the uranium lease application with the Atomic Energy Commission. Any rights under any mining claim located under the provisions of this section 3 shall terminate at the expiration of 30 days after filing for record of the notice or certificate of location of such mining claim unless, within said 30-day period, the owner of the uranium lease application or uranium lease upon which the location of such mining claim was predicated shall have filed with the Atomic Energy Commission a withdrawal of said application or a release of said lease and shall have recorded a notice of the filing of such withdrawal or release in the county office wherein such notice or certificate of location shall be of record.

"(c) Except as otherwise provided in subsections (a) and (b) of this section 3, no mining claim hereafter located shall be valid as to any lands which at the time of such location were covered by a uranium lease application or a uranium lease. Any tract upon which a notice of lease application has been posted in accordance with said paragraph (c) of said Circular 7 shall be deemed to have been included in a uranium lease application from and after the time of the posting of such notice of lease application: *Provided*, That there shall have been timely compliance with the other provisions of said paragraph (c) or, if there shall not have been such timely compliance, then from and after the time of the filing of a uranium lease application with the Atomic Energy Commission.

"SEC. 4. Every mining claim or millsite hereafter located under the mining laws of the United States and every mining claim or millsite heretofore so located which shall be entitled to benefits under the first three sections of this act shall be subject to a reservation to the United States of all Leasing Act minerals and of the right (as limited in sec. 6 hereof) of the United States, its lessees, permittees, and licensees to enter upon the land covered by such mining claim or millsite and to prospect for, drill for, mine, treat, store, transport, and remove Leasing Act minerals and to use so much of the surface and subsurface of such mining claim or millsite as may be necessary for such purposes, and whenever reasonably necessary, for the purpose of prospecting for, drilling for, mining, treating, storing, transporting, and removing Leasing Act minerals on and from other lands; and any patent issued for any such mining claim or millsite and contain such reservation: *Provided, however*, That such reservation contained in the patent shall apply only to the lands included in said mining claim which, at the time of the issuance of such patent are—

"(a) included in a permit or lease under the mineral leasing laws; or

"(b) covered by an application or offer for a permit or lease filed under the mineral leasing laws; or

"(c) known to be valuable for minerals subject to disposition under the mineral leasing laws.

"SEC. 5. Subject to the conditions and provisions of this act, mining claims and millsites may hereafter be located under the mining laws of the United States on lands of the United States which at the time of location are—

"(a) included in a permit or lease issued under the mineral leasing laws; or

"(b) covered by an application or offer for a permit or lease filed under the mineral leasing laws; or

"(c) known to be valuable for minerals subject to disposition under the mineral leasing laws;

to the same extent in all respects as if such lands were not so included or covered or known.

"SEC. 6. (a) Where the same lands are being utilized for mining operations and Leasing Act operations, each of such operations shall be conducted, so far as reasonably practicable, in a manner compatible with such multiple use.

"(b) Any mining operations pursuant to rights under any unpatented or patented mining claim or millsite which shall be subject to a reservation to the United States of Leasing Act minerals as provided in this act, shall be conducted, so far as reasonably practicable, in a manner which will avoid damage to any known deposit of any Leasing Act mineral. Subject to the provisions of subsection (d) of this section 6, mining operations shall be so conducted as not to endanger or materially interfere with any existing surface or underground improvements, workings, or facilities which may have been made for the purpose of Leasing Act operations, or with the utilization of such improvements, workings, or facilities.

"(c) Any Leasing Act operations on lands covered by an unpatented or patented mining claim or millsite which shall be subject to a reservation to the United States of Leasing Act minerals as provided in this act, shall be conducted, so far as reasonably practicable, in a manner which will avoid damage to any known deposit of any mineral not so reserved from such mining claim or millsite. Subject to the provisions of subsection (d) of this section 6, Leasing Act operations shall be so conducted as not to endanger or materially interfere with any existing surface or underground improvements, workings, or facilities which may have been made for the purpose of mining operations, or with the utilization of such improvements, workings, or facilities.

"(d) If, upon petition of either the mining operator or the Leasing Act operator, any court of competent jurisdiction shall find that a particular use in connection with one of such operations cannot be reasonably and properly conducted without endangering or materially interfering with the then existing improvements, workings, or facilities of the other of such operations or with the utilization thereof, and shall find that under the conditions and circumstances, as they then appear, the injury or damage which would result from denial of such particular use would outweigh the injury or damage which would result to such then existing improvements, workings, or facilities or from interference with the utilization thereof if that particular use were allowed, then in such event such court may permit such use upon payment (or upon furnishing of security determined by the court to be adequate to secure payment) to the party or parties who would be thus injured or damaged, of an amount to be fixed by the court as constituting fair compensation for the then reasonably contemplated injury or damage which would result to such then existing improvements, workings, or facilities or from interference with the utilization thereof by reason of the allowance of such particular use.

"(e) Where the same lands are being utilized for mining operations and Leasing Act operations, then upon request of the party conducting either of said operations, the party conducting the other of said operations shall furnish to and at the expense of such requesting party copies of any information which said other party may have, as to the situs of any improvements, workings, or facilities theretofore made upon such lands,

and upon like request, shall permit such requesting party, at the risk of such requesting party, to have access at reasonable times to any such improvements, workings, or facilities for the purpose of surveying and checking or determining the situs thereof. If damage to or material interference with a party's improvements, workings, facilities, or with the utilization thereof shall result from such party's failure, after request, to so furnish to the requesting party such information or from denial of such access, such failure or denial shall relieve the requesting party of any liability for the damage or interference resulting by reason of such failure or denial. Failure of a party to furnish requested information or access shall not impose upon such party any liability to the requesting party other than for such costs of court and attorney's fees as may be allowed to the requesting party in enforcing by court action the obligations of this section as to the furnishing of information and access. The obligation hereunder of any party to furnish requested information shall be limited to map and survey information then available to such party with respect to the situs of improvements, workings, and facilities and the furnishing thereof shall not be deemed to constitute any representation as to the accuracy of such information.

"SEC. 7. (a) Any applicant, offeror, permittee, or lessee under the mineral leasing laws may file in the office of the Secretary of the Interior, or in such office as the Secretary may designate, a request for publication of notice of such application, offer, permit, or lease, provided, expressly, that not less than 90 days prior to the filing of such request for publication there shall have been filed for record in the county Office of Record for the county in which the lands covered thereby are situate a notice of the filing of such application or offer or of the issuance of such permit or lease which notice shall set forth the date of such filing or issuance, the name and address of the applicant, offeror, permittee, or lessee and the description of the lands covered by such application, offer, permit or lease, showing section or sections of land surveyed, or, if such lands are unsurveyed, the section or sections of land which would probably be involved when the public lands surveyed are extended to such lands, or a tie by courses and distances to an approved United States Mineral Monument. The filing of such request for publication shall be accompanied by a certified copy of such recorded notice and an affidavit or affidavits of a person or persons over 21 years of age setting forth that the affiant or affiants have examined the lands involved in a reasonable effort to ascertain whether any person or persons were in possession of or engaged in the working of such lands or any part thereof, and, if no person or persons were found to be in possession of or engaged in the working of said lands or any part thereof on the date of such examination, setting forth such fact, or, if any person or persons were so found to be in possession or engaged in such working on the date of such examination, setting forth the name and address of each such person, unless affiant shall have been unable through reasonable inquiry to obtain information as to the name and address of any such person, in which event the affidavit shall set forth fully the nature and results of such inquiry.

"Thereupon the Secretary of the Interior, or his designated representative, at the expense of the requesting person (who, prior to the commencement of publication, must furnish the agreement of the publisher to hold such requesting person alone responsible for charges of publication), shall cause notice of such application, offer, permit, or lease to be published in a newspaper having general circulation in the county in which the lands involved are situate.

"Such notice shall describe the lands covered by such application, offer, permit, or lease, as provided heretofore in the notice to be filed in the office of record of the county in which the lands covered are situate, and shall notify whomever it may concern that if any person claiming or asserting under, or by virtue of, any unpatented mining claim, any right or interest in Leasing Act minerals as to such lands or any part thereof, shall fail to file in the office where such request for publication was filed (which office shall be specified in such notice) and within 150 days from the date of the first publication of such notice (which date shall be specified in such notice), a verified statement which shall set forth, as to such unpatented mining claim:

"(1) The date of location;

"(2) The book and page of recordation of the notice or certificate of location;

"(3) The section or sections of the public land surveys which embrace such mining claim; or if such lands are unsurveyed, either the section or sections which would probably embrace such mining claim when the public land surveys are extended to such lands or a tie by courses and distances to an approved United States mineral monument;

"(4) Whether such claimant is a locator or purchaser under such location; and

"(5) The name and address of such claimant and names and addresses so far as known to the claimant of any other person or persons claiming any interest or interests in or under such unpatented mining claim;

such failure shall be conclusively deemed (i) to constitute a waiver and relinquishment by such mining claimant of any and all right, title, and interest under such mining claim as to, but only as to, Leasing Act minerals, and (ii) to constitute a consent by such mining claimant that such mining claim and any patent issued therefor, shall be subject to the reservation specified in section 4 of this act, and (iii) to preclude thereafter any assertion by such mining claimant of any right or title to or interest in any Leasing Act mineral by reason of such mining claim.

"If such notice is published in a daily paper, it shall be published in the Wednesday issue for 9 consecutive weeks, or, if in a weekly paper, in 9 consecutive issues, or, if in a semiweekly or triweekly paper, in the issue of the same day of each week for 9 consecutive weeks.

"Within 15 days after the date of first publication of such notice, the person requesting such publication (1) shall cause a copy of such notice to be personally delivered to or to be sent by registered mail addressed to each person in possession or engaged in the working of the land whose name and address is shown by an affidavit file as aforesaid, and to each person who may have filed, as to any lands described in said notice, a request for notices, as provided in subsection (d) of this section 7, and (2) shall file in the office where said request for publication was filed an affidavit showing that copies have been so delivered or mailed.

"(b) If any claimant under any unpatented mining claim which embraces any of the lands described in any notice published in accordance with the provisions of subsection (a) of this section 7 shall fail to file a verified statement, as above provided, within 150 days from the date of the first publication of such notice, such failure shall be conclusively deemed, except as otherwise provided in subsection (e) of this section 7, (i) to constitute a waiver and relinquishment by such mining claimant of any and all right, title, and interest under such mining claim as to, but only as to, Leasing Act minerals, and (ii) to constitute a consent by such mining claimant that such mining claim and any patent issued therefore, shall be subject to the reservation specified in section 4 of this act, and (iii) to preclude thereafter any assertion by such mining claimant of any right or title to or interest in any Leasing Act mineral by reason of such mining claim.

"(c) If any verified statement shall be filed by a mining claimant as provided in subsection (a) of this section 7, then the Secretary of the Interior or his designated representative shall fix a time and place for a hearing to determine the validity and effectiveness of the mining claimant's asserted right or interest in Leasing Act minerals, which place of hearing shall be in the county where said interest or part of it is located, unless the mining claimant agrees otherwise. The procedures with respect to notice of such a hearing and the conduct thereof, and in respect to appeals shall follow the then established general procedures and rules of practice of the Department of the Interior in respect to contests or protests affecting public lands of the United States. If, pursuant to such a hearing the final decision rendered shall affirm the validity and effectiveness of any mining claim as to Leasing Act minerals then no subsequent proceeding under section 7 of this act shall have any force or effect upon any rights or interests under the said so affirmed mining claim. If at any time prior to a hearing the person requesting publication of notice and any person filing a verified statement pursuant to such notice shall so stipulate, then to the extent so stipulated, but only to such extent, no hearing shall be held with respect to rights asserted under that verified statement, and to the extent defined by the stipulation the rights asserted under that verified statement shall be deemed to be unaffected by that particular published notice.

"(d) Any person claiming any right in Leasing Act minerals under or by virtue of any unpatented mining claim and desiring to receive a copy of any notice of any application, offer, permit, or lease which may be published as above provided in subsection (a) of this section 7 and which may affect lands embraced in such mining claim, may cause to be filed for record in the county office of record where the notice or certificate of location of such mining claim shall have been recorded, a duly acknowledged request for a copy of any such notice. Such request for copies shall set forth the name and address of the person requesting copies and shall also set forth, as to each mining claim under which such person asserts rights in Leasing Act minerals:

"(1) the date of location;

"(2) the book and page of the recordation of the notice or certificate of location; and

"(3) the section or sections of the public land surveys which embrace such mining claim; or if such lands are unsurveyed, either the section or sections which would probably embrace such mining claim when the public land surveys are extended to such lands or a tie by courses and distances to an approved United States mineral monument.

Other than in respect to the requirements of subsection (a) of this section 7 as to personal delivery or mailing of copies of notices and in respect to the provisions of subsection (e) of this section 7, no such request for copies of published notices and no statement or allegation in such request and no recordation thereof shall affect title to any mining claim or to any land, or be deemed to constitute constructive notice to any person that the person requesting copies has, or claims, any right, title, or interest in or under any mining claim referred to in such request.

"(e) If any applicant, offeror, permittee, or lessee shall fail to comply with the requirements of subsection (a) of this section 7 as to the personal delivery or mailing of a copy of notice to any person, the

publication of such notice shall be deemed wholly ineffectual as to that person or as to the rights asserted by that person and the failure of that person to file a verified statement, as provided in such notice, shall in no manner affect, diminish, prejudice or bar any rights of that person.

"SEC. 8. The owner or owners of any mining claim heretofore located may, at any time prior to issuance of patent therefor, waive and relinquish all rights thereunder to Leasing Act minerals. The execution and acknowledgment of such a waiver and relinquishment by such owner or owners and the recordation thereof in the office where the notice or certificate of location of such mining claim is of record shall render such mining claim thereafter subject to the reservation referred to in section 4 of this act and any patent issued therefor shall contain such a reservation, but no such waiver or relinquishment shall be deemed in any manner to constitute any concession as to the date of priority of rights under said mining claim or as to the validity thereof.

"SEC. 9. The Atomic Energy Act is hereby amended as follows:

"(a) Section 5 (b) (5) is revised to read:

"(5) Acquisition: The Commission is authorized, to the extent it deems necessary to effectuate the provisions of this act, to purchase, take, requisition, condemn, or otherwise acquire—

"(A) supplies of source materials or any interest in real property containing deposits of source materials, and

"(B) rights to enter upon any real property deemed by it to have possibilities of containing deposits of source materials and to conduct prospecting and exploratory operations for such deposits.

Any purchase made under this paragraph may be made without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing that advertising is not reasonably practicable, and partial and advance payments may be made thereunder. The Commission may establish guaranteed prices for all source materials delivered to it within a specified time. Just compensation shall be made for any property or interest in property purchased, taken, requisitioned, condemned, or otherwise acquired under this paragraph.

"(b) Section 5 (b) (6) is revised to read:

"(6) Operations on lands belonging to the United States: The Commission is authorized, to the extent it deems necessary to effectuate the provisions of this act, to issue leases or permits for prospecting for, exploration for, mining, or removal of deposits of source materials (or for any or all of these purposes) in lands belonging to the United States.

"(c) Section 5 (b) (7) is revised to read:

"'(7) Public lands: No individual, corporation, partnership, or association, which had any part, directly or indirectly, in the development of the atomic bomb project, may benefit by any location, entry, or settlement upon the public domain made after such individual, corporation, partnership, or association took part in such project, if such individual, coropration, partnership, or association, by reason of having had such part in the development of the atomic bomb project, acquired confidential official information as to the existence of deposits of such uranium, thorium, or other materials in the specific lands upon which such location, entry, or settlement is made, and subsequent to the date of the enactment of this act made such location, entry, or settlement or caused the same to be made for his, or its, or their benefit. In cases where any patent, conveyance, lease, permit, or other authorization has been issued, which reserved to the United States source materials and the right to enter upon the land and prospect for, mine, and remove the same, the head of the department or agency which issued the patent, conveyance, lease, permit, or other authorization shall, on application of the holder thereof, issue a new or supplemental patent, conveyance, lease, permit, or other authorization without such reservation.'

"(d) Notwithstanding the provisions of the Atomic Energy Act, and particularly section 5 (b) 7 thereof, prior to its amendment hereby, or the provisions of the act of August 12, 1953 (67 Stat. 539), and particularly section 3 thereof, any mining claim, heretofore located under the mining laws of the United States, for, or based upon a discovery of a mineral deposit which is a fissionable source material and which, except for the possible contrary construction of said Atomic Energy Act, would have been locatable under such mining laws, shall, insofar as adversely affected by such possible contrary construction, be valid and effective, in all respects to the same extent as if said mineral deposit were a locatable mineral deposit other than a fissionable source material.

"SEC. 10. As used in this act 'mineral leasing laws' shall mean the act of October 20, 1914 (38 Stat. 741); the act of February 25, 1920 (41 Stat. 437); the act of April 17, 1926 (44 Stat. 301); the act of February 7, 1927 (44 Stat. 1057); and all acts heretofore or hereafter enacted which are amendatory of or supplementary to any of the foregoing acts; 'Leasing Act minerals' shall mean all minerals which, upon the effective date of this act, are provided in the mineral leasing laws to be disposed of thereunder, 'Leasing Act operations' shall mean operations conducted under a lease, permit, or license issued under the mineral leasing laws in or incidental to prospecting for, drilling for, mining, treating, storing, transporting, or removing Leasing Act minerals; 'mining operations' shall mean operations under any unpatented or patented mining claim or millsite in or incidental to prospecting for, mining, treating, storing, transporting, or removing minerals other than Leasing Act minerals and any other use under any claim of right or title based upon such mining claim or millsite; 'Leasing Act operator' shall mean any party who shall conduct Leasing Act operations; 'mining operator' shall mean any party who shall conduct mining operations; 'Atomic Energy Act' shall mean the Act of August 1, 1946 (60 Stat. 755), as amended; 'Atomic Energy Commission' shall mean the United States Atomic Energy Commission established under the Atomic Energy Act or any amendments thereof; 'fissionable source material' shall mean uranium, thorium, and all other materials referred to in section 5 (b) (1) of the Atomic Energy Act as reserved or to be reserved to the United States; 'uranium lease application' shall mean an application for a uranium lease filed with said Commission with respect to lands which would be open for entry under the mining laws except for their being lands embraced within an offer, application, permit, or lease under the mineral leasing laws or lands known to be valuable for minerals leasable under those laws; 'uranium lease' shall mean a uranium mining lease issued by said Commission with respect to any such lands; and 'person' shall mean any individual, corporation, partnership, or other legal entity.

"SEC. 11. If any provision of this act, or the application of such provision to any person or circumstances, is held unconstitutional, invalid, or unenforcible, the remainder of this act or the application of such provision to persons or circumstances other than those as to which it is held unconstitutional, invalid, or unenforcible, shall not be affected thereby."

The SPEAKER. The question is on the amendment offered by the gentleman from Montana [Mr. D'EWART].

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The proceedings whereby the bill H. R. 8896, was passed were vacated, and that bill was laid on the table.

HOUSING ACT OF 1954

Mr. WOLCOTT submitted a conference report and statement on the bill (H. R. 7839) to aid in the provision and improvement of housing, the elimination and prevention of slums, and the conservation and development of urban communities.

SPECIAL ORDER GRANTED

Mr. HAND asked and was given permission to address the House on Thursday and Friday of this week for 30 minutes each, following the legislative business of the day and any special orders heretofore entered.

SPECIAL ORDER VACATED

The SPEAKER. Under previous order of the House the gentleman from California [Mr. PHILLIPS] is recognized for 45 minutes.

Mr. PHILLIPS. Mr. Speaker, I ask unanimous consent that the special order allotted to me be vacated.

The SPEAKER. Is there objection?

There was no objection.

A DISCUSSION OF THE CONCEPT OF EQUAL PAY FOR EQUAL WORK

The SPEAKER. Under previous order of the House, the gentlewoman from Ohio [Mrs. FRANCES P. BOLTON] is recognized for 20 minutes.

Mrs. FRANCES P. BOLTON. Mr. Speaker, on January 14 of this year I introduced H. R. 7172 after considerable research and contact with people of many groups which have expressed interest in the principle of equal pay for equal work. Included in these groups were leaders of American labor, business, finance, education, and women's affairs.

It has seemed wise not to press the matter until I have more significant information. So today I want to discuss the general concept of equal pay for equal work. To do so, let me set forth briefly the provisions of my bill the overall purpose of which was to prohibit discrimination on account of sex in the payment of wages by employers. Briefly, this bill—

First. Directs the Secretary of Labor to set up standards to determine which jobs involve work of comparable character or skills.

Second. Permits an employee to sue for wages he was deprived of because his employer violated the act.

Third. Permits the Secretary of Labor to bring court action if the employee prefers that method.

The administration, the Labor Department, and the Women's Bureau pledged strong support of the bill. So did many other important groups in labor and industry, in women's organizations and education.

Many organizations have expressed their support of the principle of equal pay: the Amalgamated Clothing Workers of America, the American Association of University Women, General Federation of Women's Clubs, National Council of Catholic Women, National Council of Jewish Women, National Council of Negro Women, the National Education Association, National Federation of Business and Professional Women's Clubs, National League of Women Voters, National Women's Trade Union League, National Association of Women Lawyers, Young Women's Christian Association, United Church Women.

The Chamber of Commerce of the United States, in a policy declaration, stated it believed in the equal-pay principle but did not believe in Federal legislation.

The National Association of Manufacturers says:

The principle of equal pay for equal work performance within the wage structure of a local business establishment is sound and should be observed. Rates of pay should be based on the nature and requirements of each job, irrespective of age, sex, or other personal factors of the worker.

Among individual industrialists who have recently been queried on the matter of equal pay for equal work, there appear to be divergent opinions regarding the validity of the proposed legislation. Most industrialists believe in the principle but look with a certain amount of foreboding on national legislation. They prefer an evolutionary program of education rather than legislation. They are concerned about inspectors, penalties, difficulties of enforcement. However, I recognize that many people in this country, including Members of this Congress, leaders in industrial management, leaders in labor organizations, educators, women's organizations are not fully aware of the advantages and difficulties in the passage and enforcement of such a bill. I think it is important to bring all arguments, pro and con, before you so that you may have all the facts as to the benefits which this bill will bring to all the people.

I think it is wise to take a new look at the woman worker who is so important in our economy.

The typical woman at work today is in her late thirties, and she is married. She works because she and her family need the money she earns. Her job is probably a clerical or factory job, full-time. She may work less than a full year in any one place.

Her income runs between $1,500 and $2,000. This amount combined with her husband's salary gives the family an income of less than $5,000. The Women's Bureau of the Department of Labor figures—1952—show almost 19 million women holding jobs—one-third of this Nation's labor force.

These figures do more than suggest that this woman deserves our attention as "United States citizen, first-class."

It is true also that women generally own two-thirds of all privately owned war bonds, either alone or as co-owner; they hold 40 percent of the titles of 30 million homes in this country; they pay 40 percent of all property taxes; 80 percent of all inheritance taxes. They spend 80 percent of the national income.

Women made up 52 percent of the voters in the 1952 election. There are some 2 million more women than men today in our country. With the necessary withdrawal of men for the Armed Services, these figures may continue to increase. This will mean an even greater necessity for women to earn a decent wage. Should national emergencies arise, her services may again be desperately needed by industry.

The present spiritual and economic climate makes this a peculiarly propitious time for consideration of the whole question of equal pay.

Many experts believe that such a bill will stimulate our economy by increasing consumer purchasing power. If we have learned anything from the disturbed business cycles of the past two or three decades, it is that a high living standard and prosperous business conditions cannot exist if the worker cannot buy the products of his or her labor. Yet, if large numbers of women can be hired at less than the prevailing rates for men, their competition is likely to result either in the displacement of the men or in men's acceptance of lower rates. The eventual result is reduced purchasing power and lower standards of living for all workers.

The payment of lower rates to women for work comparable with men's has adverse effect on the best use of workers. By creating so-called men's jobs and women's jobs, it cuts down free choice of work opportunities for all. Men will not take women's jobs because of their lower rates of pay, and men resent the hiring of women for men's jobs for fear that the rates will be cut if women are brought in. This creates what might be called a frozen labor market, and industry itself suffers because of it.

It is to industry's advantage that workers be able to move freely, as the situation demands, from one job to another, but the artificial barrier set up by unequal wage rates prevents industry from employing workers on the most efficient basis. The widespread establishment of a rate for the job, irrespective of sex, would make a genuine contribution toward creating labor mobility and increased industrial efficiency.

I recognize, of course, that there are many different opinions on the question. Before any bill is passed, these viewpoints have to be adjusted and reconciled. There are the points of view of industrial management, of organized labor, of women's organizations, of educators, of the women who work.

I hope that the discussions which may arise from presentation of available facts will give the American people as a whole an opportunity to express their wishes.

DEFINITION

The increasing number of women in industry has made the question of equal pay for comparable work of growing importance. In two world wars the Federal Government supported the principle of equal pay for women. Various States adopted such legislation.

Equal pay for comparable work by definition is the application of a rate or rate range for the job without regard to the sex of the worker. There are sound methods of job evaluation by which it is possible to weigh the duties, responsibilities, and working conditions and fix the rate of pay for each job. Job evaluation has almost eliminated the difficulty of setting up criteria.

HISTORICAL BACKGROUND

Demands for Government action for equal pay arose as early as 1868, when the National Labor Union Convention passed a resolution urging Federal and State Governments "to pass laws securing equal salaries for equal work to all women employed under the various departments of Government."

The Classification Act of 1923 established for Federal workers the rate for the job, irrespective of sex. Just last week the House Committee on Post Office and Civil Service approved an amendment to the new Federal pay bill—H. R. 8093—permitting appeal to the Civil Service Commission where persons are passed over on job eligibility lists because of their sex. For many years, women's organizations, labor unions, and many others both inside and outside the Government have urged that the Federal Government should enact an equal-pay law.

Many unions, however, have long pressed for equal-pay provisions in their contracts and in legislation.

It is difficult to obtain information as to the extent of wage discrimination against women throughout the United States. Many instances of unequal pay in individual plants or establishments have come to my attention. The dual wage structure in contracts is one method by which employers and unions avoid paying women the man's rate for the job.

In some arbitration awards interpreting union contracts the arbitrator has held that although women perform the same work as men and receive a lower pay rate, they are not entitled to the same pay since the differential has been in existence for a number of years and the union has implicitly condoned it, making no protestation.

A number of States have passed legislation of one sort or another, but State action cannot of itself reach the national goal. It might be interesting to take up at this point just what the States have done. This recapitulation may serve as background for recommendations looking to Federal legislation.

Achievement by women in the First World War resulted in the passage of equal-pay laws in two States, Montana and Michigan.

Wartime developments and the War Labor Board action have helped collective-bargaining agreements and have helped the establishment of job evaluation systems under which pay differentials based on sex have been abolished.

The demand for legislative action during the Second World War resulted in the passage by a number of States of equal-pay laws. In one decade 12 States passed equal-pay laws.

Today, in addition to Michigan and Montana, there are equal pay laws in Illinois, Washington, New York, Massa-

chusetts, Rhode Island, Pennsylvania, New Hampshire, California, Connecticut, Maine, New Jersey, and the Territory of Alaska.

However, among these 14 equal-pay laws, very few are free of loopholes. In Illinois, the Department of Labor has no responsibility to enforce the law. In Illinois and Michigan, the law covers only workers in manufacturing industries. In California, Illinois, Maine, Pennsylvania, and Rhode Island, wage discrimination is permitted if sanctioned by a collective-bargaining agreement. In California, Illinois, Maine, Pennsylvania, and Rhode Island, laws enumerate many factors upon which wage differentials can be based. In New York and Washington, wage differentials are permitted if based on "factors other than sex." The New Jersey law permits "a reasonable factor or factors other than sex" on which to base wage differentials. Such terminology has, in many cases, been used to evade the intent of the laws. In many States the labor commissioner does not have the power to take wage assignments and sue in behalf of the employee. In most States inadequate appropriations make administration of the equal pay laws difficult. No State's laws attempt to eliminate inequalities between rates paid for so-called men's and women's jobs.

Some States require equal pay for teachers and for State employees. Sixteen States and the District of Columbia have equal pay laws for teachers. About one-half the States have civil-service systems in which equal pay for men and women is generally required in all branches of the State government.

However, experience has shown that the limited orbit of State laws cannot cure an evil which is nationwide in its extent. Today, practically all American business and industry touches on interstate commerce. Very few businesses or industries operate on a strictly intrastate basis. For this reason, broad, uniform, countrywide Federal legislation would seem to be needed. Such Federal legislation could: First, eliminate many labor disputes caused by discriminatory wage practices; second, lessen unfair competition among employers; third, raise living standards of all workers and their dependents; fourth, contribute to maximum labor force efficiency and flexibility; fifth, increase the prestige of the United States among the nations of the world; and, above all else, sixth, grant justice to women workers.

Let me touch briefly on each of these points:

LABOR DISPUTES CAUSED BY DISCRIMINATION

Unrest, and even strikes, result from employers' resistance to granting equal pay. Walter P. Reuther testified at a congressional hearing that the fight for equalization of women's rates had prolonged strikes in some plants of General Motors. Joseph A. Beirne, president, Communications Workers of America, has testified that the question of equal pay was always one of the stumbling blocks in contract negotiations.

UNFAIR COMPETITION

The Senate report on the Women's Equal Pay Act of 1950 points out that employers in the States with equal-pay laws are now at a competitive disadvantage in interstate transactions. Furthermore, it states that Federal legislation would benefit employers now voluntarily applying the equal-pay principle by eliminating unfair competition from those areas paying lower wages to women.

LIVING STANDARDS

Labor unions have presented many examples of how unequal pay for women results in lower wages for men and in lower living standards for many American families. Says Mr. T. R. Owens, of the United Rubber Workers, CIO:

> Wherever there are two sets of rates in a plant, there is a continual attempt to bring all rates down to the lower level. Thus industries with a labor force having large proportions of women have lower wage rates than industries employing chiefly men. This is true, for instance, of the cotton textile industry, where the majority of workers are women.

Wage differentials occur in industries where studies have been made, for instance, in the meat-cutting industry.

In 1953, women's hourly rate was 5 cents less than men's. Before collective bargaining, it was as much as 10½ cents an hour less. This is true of other industries, as shown by studies made by the Labor Department.

It is important, for instance, to remedy such a situation as occurred in an arbitration award in Pittsburgh. In absence of a contract clause requiring equal pay for equal work, it was ruled that an employer need not pay female employees the high rate paid male employees for the same work.

A number of important problems still remain in regard to equal pay and collective bargaining. Unequal pay is still the rule where no strong union or no union exists. Unequal pay practices are justified by various devices. For instance, names of the same job vary; first, when performed by men; second, when performed by women. Or a man's job is changed slightly or renamed for performance by a woman, at a lower rate of pay. A number of such devices are used to get around the problem.

Regrettably, we have no comprehensive plant-by-plant job-by-job wage data of the extent to which equal pay for comparable work for women and men is practiced in the United States. Weekly earnings of production workers in certain manufacturing industries in several States are striking examples of the lower level of women's earnings.

The United Automobile Workers, CIO, gives an example of how unequal pay for women can force men to accept lower wage rates. In the Delco-Remy plant in Anderson, Ind., a 16-cent differential existed between male and female rates for the same or comparable work. After V-J Day, management hired more women, while at the same time refusing to hire males, a large percentage of whom were veterans. When management refused to eliminate the differential, the union accepted a compromise. Women were placed on the day shift and new male employees were put on the afternoon shift where the rates were higher.

In other countries the matter has had attention of the government. The British Government announced that it would start applying, in all departments, the principle of equal pay for women. By March 1955, the old practice of paying women less than men for the same work would have been completely eliminated. This should affect all British industry.

On August 15, 1945, Pope Pius XII told the Congress of the Italian Catholic Women Workers, "the Church has always held that women should receive the same pay as men for equal work and output."

JUSTICE TO WOMEN WORKERS

Statistics show that American women work in order to support or help support themselves and their families.

In 1950, the median income of husband-wife families in which the wife was working was $4,003. According to the Bureau of Labor Statistics, a minimum family budget for a city worker's family of four was $3,727 in October 1950. In many families, the wife's entire earnings are essential if the family is to maintain any kind of a standard of living. As Miss Elizabeth Christman pointed out when she represented the National Women's Trade Union League at congressional hearings, a loaf of bread has the same price no matter who purchases it.

It is interesting that both the political parties have had equal pay planks in their platforms.

Republican:

> We favor legislation assuring equal pay for equal work regardless of sex.

Democratic:

> We believe in equal pay for equal work regardless of sex, and we urge legislation to make that principle effective.

So far they have but gathered dust.

CONCLUSIONS

Economic, social, moral, and political reasons all seem to point to the need for adequate equal pay legislation.

The problem we face as a free Nation dedicated to justice and opportunity for the individual spreads itself out before us as the exigencies of living continue to force women into the labor market. What is the way to meet it? A century has passed since women first were openly accepted as part of the labor force. Now women actually form a third of that force. What is the best way to bring about the result? How can we best insure her receiving the same pay as a man whose work is the same as her own?

It seems to me that is a question with which this Congress must deal in the very near future.

The bill I introduced in the 83d Congress dies at the adjournment hour. While I do not feel that the failure of this attempt was caused by any apparent flaws in H. R. 7172, neither does this preclude the possibility that I may take a different approach at a future session of Congress. What should be in the bill which the 84th Congress considers?

I shall greatly appreciate your thoughtful consideration of the whole matter and shall hope you will let me have your thoughts and your suggestions as a guide for possible future legislation.

WHAT THE 83D CONGRESS HAS DONE FOR SEATTLE

The SPEAKER pro tempore (Mr. CANFIELD). Under the previous order of the House, the gentleman from Washington [Mr. PELLY] is recognized for 15 minutes.

Mr. PELLY. Mr. Speaker, as the House of Representatives concludes the regular order of another day's business, I rise to speak in a rather personal way. This session of the 83d Congress will soon adjourn, and from now on our sessions may be longer and our patience shorter. So, while the Members are still in a friendly and receptive mood, I want to take advantage of the situation.

My one purpose in addressing the House today is to discharge the deep sense of obligation I feel to the Members of this body for the unfailing courtesy, help, and cooperation given me since the 83d Congress convened in January 1953.

When I have called on you, Mr. Speaker, or upon the individual Members of this House, for information or sympathetic consideration of a problem, you have invariably earned my gratitude, and the results have been of real importance to the people of Seattle and Kitsap County. We of the First Congressional District owe a great debt to those in the legislative and executive branches of the Government.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I yield.

Mr. ARENDS. I would like to say to the gentleman from Washington that in like manner we would express ourselves on this side of the aisle by saying that we have enjoyed not only the fellowship but the complete cooperation of the gentleman from Washington [Mr. PELLY], in the legislative programs that we have had up since he has been a so-called new Member. He has been tireless in his efforts and worked continuously for the best interests of the people of his district. It is Members like the gentleman from Washington [Mr. PELLY], who have made possible this fine constructive program we are trying to put through in this Congress.

Mr. PELLY. I thank the gentleman.

Mr. Speaker, let me cite a few examples:

(a) After a quarter of a century of waiting, the Public Works Committee finally recommended authorization of the Ballard breakwater and small-boat basin in Shilshole Bay outside the Government locks.

(b) After years of waiting, Seattle is getting a new terminal post office.

(c) Enough modernization and conversion work has been allocated to the Puget Sound Naval Shipyard in Bremerton to keep the yard in its present position as the top public shipyard in the Nation from the standpoint of workload. I might say that this is as it should be, because the performance of the Puget Sound yard has been outstanding with regard to economy of operation, meeting time schedules, and quality of workmanship. This fine record fully justified the Navy's decision to give the yard the first $40 million modernization of a *Midway* class carrier.

(d) Utilization of the merchant-marine reserve fleet at Olympia for storage of surplus wheat.

(e) A congressional fact-finding hearing on the transportation problems which have plagued the Seattle waterfront for so long. It is perhaps significant that there has been no major waterfront shutdown since those hearings; untold benefit to the city has followed.

(f) Favorable consideration of several pieces of legislation, including two resolutions authorizing free import of goods for the third and fourth international trade fairs in Seattle, and a bill which will save the shipping industry thousands of operation dollars annually by allowing quarantine inspections during overtime hours.

(g) The transfer of several MSTS vessels to Seattle from San Francisco as their home port, with a resulting boost for Seattle's most important interest, the maritime industry.

(h) Reconsideration at my request of a holdover Defense Department procurement policy, which means that $100 million formerly designated for expenditure each year in foreign shipyards now goes to domestic shipyards.

(i) Successful conclusion of a temporary agreement, through the intercession of the State Department with the Government of Canada, to allow flooding across the Canadian boundary on the Skagit River. This will allow Seattle City Light to meet its power demands without difficulty for at least another year.

For these actions and many, many more my constituents deeply appreciate the assistance of this Congress and this administration. On their behalf and for myself I extend to this body my sincere gratitude.

Mr. Speaker, since early 1953 we of this House of Representatives have considered and debated, pro and con, many issues important to the American people. A good part of President Eisenhower's recommended program has passed the House. By and large, it has been a series of measures designed to be liberal in relation to the needs of the people, but conservative in the spending of their money. All partisanship aside, it is a good program, and if the President is given congressional support during the 84th Congress, the Eisenhower era will go down as one of the great periods in the history of the Republic.

It has been a great satisfaction to have had a part in liberalizing the social-security system.

It has been even more gratifying to be able to give the hard-pressed wage earners and taxpayers of the Nation tax reductions approximating $7 billion.

The achievements of the 83d Congress in the elimination of waste, duplication, and unnecessary expenditures, in doing away with wage and price controls, and in holding the line against the inflation that was destroying our buying power, have all made me proud to be a Member of the legislative branch of the Government. But what has given me the most satisfaction is that I have been part of an administration that terminated the bloodshed and killing of American boys in Korea.

Right now, fortunately, my district is in good sound economic condition, even considering that the war boom is over. The transition has been far easier than one might have expected.

Since I have represented the First Congressional District of the State of Washington many problems have come to me. Some of these have been successfully concluded, some are now in the process of solution and, of course, there were many which had no solution.

Mr. Speaker, during the two sessions of the 83d Congress I have worked on over 100 matters of major importance to my district. Week by week and day by day they have claimed my attention. Many of these projects, some of them already mentioned, appear to be successfully accomplished. Others, such as keeping passenger ships running to Alaska, obtaining cargoes for American merchant ships—of vital importance to the port of Seattle—and keeping the shipbuilding industry alive, are continuing problems which obviously cannot be solved at any one time by any single action.

Finally, Mr. Speaker, I want to say this. I feel that the 83d Congress has accomplished a great deal. Personally, after reviewing the legislation we have passed, I have a sense of real satisfaction. Couple this with the record of the administration in such important respects as the great progress in achieving racial equality, in removing poor security risks from sensitive Government positions, in the elimination of waste of taxpayers' money and increasing the efficiency of Government, gives me a sense of pride and of having kept faith with preelection promises.

I will go back to my district with a feeling of achievement. Meanwhile, again, I thank all Members of the House for their cooperation and the great privilege of association with such a fine group of legislators.

VOCATIONAL REHABILITATION ACT

Mr. McCONNELL submitted a conference report and statement on the bill (S. 2759) to amend the Vocational Rehabilitation Act so as to promote and assist in the extension and improvement of vocational rehabilitation services, provide for a more effective use of available Federal funds, and otherwise improve the provisions of that act, and for other purposes.

COOPERATIVE RESEARCH IN EDUCATION

Mr. McCONNELL submitted a conference report and statement on the bill (H. R. 9040) to authorize cooperative research in education.

WHITE HOUSE CONFERENCE ON EDUCATION

Mr. McCONNELL submitted a conference report and statement on the bill (H. R. 7601) to provide for a White House conference on education.

NATIONAL ADVISORY COMMITTEE ON EDUCATION

Mr. McCONNELL submitted a conference report and statement on the bill (H. R. 7434) to establish a National Advisory Committee on Education.

TELECASTING AND BROADCASTING OF CONGRESSIONAL HEARINGS

The SPEAKER pro tempore (Mr. CANFIELD). Under the previous order of the House, the gentleman from Michigan [Mr. MEADER] is recognized for 10 minutes.

Mr. MEADER. Mr. Speaker, I desire to call the attention of the House to the very controversial question of whether or not committee hearings should be broadcast and telecast.

Members will recall that in the last Congress the present Speaker of the House [Mr. MARTIN] propounded a parliamentary inquiry and the former Speaker of the House [Mr. RAYBURN] ruled that, in his opinion, committees did not have the power to authorize the broadcasting or telecasting of their proceedings.

My understanding of that statement by former Speaker RAYBURN was that it was not a precedent binding upon the House but merely the expression of an opinion in response to a parliamentary inquiry.

I also understand that the present Speaker of the House has indicated informally that, were the question presented to him for ruling, his ruling would be that the committees in their own discretion could decide what media of communication could be permitted to report the public proceedings of committees.

Mr. Speaker, in the 82d Congress I introduced a resolution to amend the rules of the House to make it clear that committees had the discretion to decide what media of communication could report their hearings.

The Committee on Government Operations, of which I am a member, has taken action in this connection. It adopted a rule which, in my judgment, was unwise. On February 4 of this year on motion of the gentleman from California [Mr. CONDON], the Government Operations Committee adopted a rule, or an amendment to an existing rule, rule 13 (a) and (b). The effect of the amendment is to prohibit regular or special subcommittees from telecasting or broadcasting their hearings except by unanimous consent. With respect to the full committee the rule provides that there must be an affirmative vote of a constitutional majority, in other words, more than one-half of the authorized membership of the committee, before the full committee proceedings could be broadcast or telecast. I voted against that amendment. My colleague, the gentleman from Michigan [Mr. HOFFMAN], chairman of the Committee on Government Operations, and I, were the only members of the committee to vote against the adoption of that rule.

The committee is now reconsidering that action. A special subcommittee was appointed under the chairmanship of the gentleman from New York [Mr. RIEHLMAN] to consider the matter of telecasting and broadcasting our committee proceedings. The gentleman from New York [Mr. RIEHLMAN] asked me if I cared to make any comments on revision of this rule with respect to telecasting. I did so. I addressed a letter to him under date of July 16 setting forth my comments on the proposed reconsideration of telecasting committee hearings. Briefly, Mr. Speaker, I said that I believe telecasting and broadcasting should be permitted within the sound discretion of the committee upon the same type of vote by which the committee takes all action, namely, the vote of a majority of those present and voting, a quorum being present.

Mr. Speaker, to require unanimous consent on a matter such as broadcasting and telecasting, in my judgment, goes too far in the direction of minority rule. I am impressed by the passage in the introduction of the Rules of the House by our parliamentarian, Mr. Deschler, to the effect that the rules of the House are very finely adjusted and so developed that a majority can work its will at all times, even in the face of the most vigorous opposition of a minority.

As I view it, last February the majority of the Government Operations Committee abdicated its power to take action not just to the minority but to one single member. Regardless of the desires of the rest of the membership, one member can block the telecasting of subcommittee hearings.

I think persons who regard those new devices for transmission of news as something to be feared are perhaps a little bit behind the times. I think those new mediums of bringing the Government closer to the people are in the public interest. Eventually I believe the public will insist upon using this instrument for knowing about the public business. Therefore, it is my hope that when the Government Operations Committee considers this problem—and I understand they will do so day after tomorrow—they will unhesitatingly repeal the rule ill advisedly adopted last February.

Mr. Speaker, at this point I ask unanimous consent to incorporate in my remarks a letter I wrote to the gentleman from New York [Mr. RIEHLMAN], on July 16, setting forth my views on this subject.

The SPEAKER pro tempore (Mr. CANFIELD). Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. The letter is as follows:

JULY 16, 1954.

Hon. R. WALTER RIEHLMAN,
Chairman, Subcommittee on Military Operations, Government Operations Committee, House of Representatives, Washington, D. C.

DEAR WALTER: You have invited my comment on modification of Rule 13 (a) and (b) of the Rules of the Committee on Government Operations adopted February 4, 1954.

You may recall I opposed the adoption of this rule. I believe it should be repealed.

Rule 13 reads as follows:

"Hearings—the taking of testimony—are to be conducted in an orderly, dignified manner, the committee keeping in mind the power of the Congress, the authority of the committee, the attainment of the objective sought and the rights and privileges of the witness.

"Rule 13 (a): * * * None of the hearings of the regular subcommittees, or any of the special subcommittees which may be appointed, shall be telecast or broadcast, whether directly or through such devices as wire recordings, wire tapes, motion pictures, or other mechanical means, unless approved by unanimous consent of the member of such regular subcommittee or of any special subcommittees. Such consent shall be expressed by ballot and the vote on such ballot shall not be released to the public unless the vote is unanimous: *Provided,* That if any member of any regular subcommittee, or any special subcommittee shall be ill or otherwise unavailable for such vote on such ballot, his consent shall not be necessary, if at least a quorum of such regular subcommittee or special subcommittee unanimously approves such telecast or broadcast.

"Rule 13 (b): * * * None of the hearings of the full committee shall be telecast or broadcast by any of the means set forth in rule 13 (a) unless approved by ballot, by a majority of the members of the full committee (not merely a majority of the members present and voting)."

In effect, those rules prohibit telecasting or broadcasting of subcommittee hearings except by unanimous consent evidenced by secret ballot, and of hearings of the full committee except by approval by ballot of a majority of the membership of the full committee (a "constitutional majority").

I oppose that rule on both procedural and substantive grounds.

The general rule in the House of Representatives, and its committees, is that valid decisions are made by vote of a simple majority, that is the majority of those present and voting, a quorum being present (rule XV, 4). The rules of the House are expressly made the rules of its standing committees (rule XI, 25 (a)).

A simple majority can take action on all legislative and procedural questions except those regarded for special reasons as being of exceptional gravity or lasting consequence.

A simple majority vote can declare war, levy taxes, appropriate public funds, raise the limitation on the public debt, impose criminal penalties and decide on all kinds of matters of far-reaching national policy.

Examples of questions requiring more than a simple majority vote are amendments to the Constitution, overriding a veto, expulsion of a Member, rejecting a presidential reorganization plan and conviction on impeachment.

No question, procedural or legislative, is regarded as sufficiently important to require a unanimous vote.

A committee may not adopt rules inconsistent with the rules of the House. It is my opinion that rule 13 (a) and (b) is therefore wholly void as an attempted exercise of the rule-making power by a committee which it does not possess. When an attempt is made to enforce rule 13 (a) and (b) I believe a point of order against it would be well taken.

Whether valid or void as a matter of legality, rule 13 (a) and (b) is unwise and unsound. In effect, it deprives the majority of the right to run a committee. Not only does it place control in a minority, but in the hands of any one member of a subcommittee who, by a single objection, can prevent the broadcasting and telecasting of committee hearings regardless of the wishes of all the other members. This is essentially unparliamentary as the comment of the House Parliamentarian, Lewis Deschler, indicates in this very well expressed passage from the introduction to the Rules of the House:

"From the beginning of the First Congress the House has formulated rules for its

procedure. Some of them have since gone out of existence. More of them have been amplified and broadened to meet the exigencies that have arisen from time to time. Today they are perhaps the most finely adjusted, scientifically balanced, and highly technical rules of any parliamentary body in the world. Under them a majority may work its will at all times in the face of the most determined and vigorous opposition of a minority."

As I appraise the importance of telecasting and broadcasting committee hearings it does not justify requiring action to be taken by a degree of voting more difficult to obtain than that by which all other action of a committee is taken. Certainly the decision on what media of communication shall be permitted to report committee proceedings is simply one of the housekeeping matters which ought to be in the discretion of the majority at all times. It, in my judgment, cannot rise to the dignity and importance of recommending favorable action on bills or resolutions or the filing of committee reports with the House, all of which action is taken by simple majority vote.

Leaving the procedural question, I am unable to agree with the philosophy of rule 13 (a) and (b) on the merits. Public hearings of committees are a legitimate matter of public interest. Any means of communicating the work of a public agency such as a congressional committee to the people of the United States, subject to the control of the committee in its sound discretion, should be effectively utilized to the end that there may be an informed electorate. I have difficulty in distinguishing between agencies or channels of communication where they bear upon reporting of public activities on any basis of principle. The official record of the committee, the transcript of testimony, and the accounts of news reporters, columnists, or commentators are essentially the same, as I view it, as the actual verbatim tape recording, live or transcribed newsreel cameras, and live or transcribed telecasting. If there is a distinction between those media of communication, it would appear that there was less opportunity for distortion, slanting, or editing in the telecasting and broadcasting of proceedings than in other media of reporting committee proceedings which, of necessity, must be hearsay in their character.

Those who would stop or attempt to stop this new and powerful method of bringing Government closer to the people, I predict, will be unsuccessful in the long run. Telecasting and broadcasting are here to stay, and the public will eventually insist upon these new channels for observing the conduct of the public business. I for one have no fear of the public scrutiny of public proceedings. If an individual citizen has the right to be present and observe the proceedings of a committee in person, I see no reason why he should not have the privilege of using the instrumentality of television or of radio broadcasting to observe the conduct of the Nation's business.

I can foresee that it may be necessary in the future to prevent editing and slanting or exploitation of public proceedings for commercial purposes, but in my judgment these possible abuses cannot be anticipated completely in advance and detailed, rigid rules adopted in a vacuum. These matters should be left within the sound discretion of the committee to be acted upon when the issue arises.

In conclusion, I might say that I do not share the apparent distrust of the sound judgment of my colleagues which the adoption of these rules implies. I am not oblivious to weaknesses in human character and freely recognize that there have been abuses in the past and that there will be abuses in the future, but, by and large, my experience in the House of Representatives has led me to respect my colleagues and to regard them as mature, sober citizens who can be trusted to exercise good judgment at least as frequently as persons in any other walk of life.

The work of the Congress is important. The complicated problems we face today can best be handled through the committee system where a smaller group of men can give detailed study to a subject. Committees are the point of contact between the elected legislator, the administrative official, and the private citizen. It is the forum where views, opinions, arguments, and facts are expressed and considered. The factfinding process and the interchange of views are necessary as a basis for sound legislation. If thorough consideration is to be given to public problems within the limited time a committee can devote to it, there must be flexibility and freedom in the committee to manage its business. Rigid, straight-jacketing rules which obstruct and delay the committee's work are therefore not in the public interest.

Sincerely,

GEORGE MEADER,
Member of Congress.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MEADER. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Is it not true, speaking generally, that heretofore the public has been dependent for its information as to the business transacted by congressional committees upon what the reporters and, perhaps, editorial writers and radio commentators and columnists have had to say and write and that the people generally did not hear and see the actual proceedings?

Mr. MEADER. The gentleman is correct, and being an excellent trial lawyer in his home State of Michigan, I know that he is fully aware of the reliability of primary evidence as compared with hearsay evidence, and I think he has very well pointed out that news reports and comments by radio commentators are hearsay; they are secondhand and never can be quite as good as the original article.

Mr. HOFFMAN of Michigan. And the accuracy of what the people get depends, perhaps, in the first instance, upon what the reporter hears and understands as to what the witness said. Then again, following that, upon the degree of accuracy with which the reporter transmits his views to maybe the city editor or whoever it is in the newspaper office who writes it. Then you have the rewrite man, while if you had radio and telecast, the people themselves hear and they see what happens and they are able to judge for themselves as to the intent to be conveyed by the witnesses.

Mr. MEADER. I think the gentleman is absolutely correct. I would like to ask the gentleman if he does not agree with me that since a member of the public, any citizen, has the right to be present in person at a public hearing of a committee, he should also have the right to be there, not in person, but through the instrument of telecasting and radio broadcasting devices.

Mr. HOFFMAN of Michigan. Yes, I agree with the gentleman in that, and I think that while television may in the beginning have had an attraction for some of us to get in front of the camera and put on a show, most of us have discovered that if you are a ham, television will expose you just as quickly as it will promote your good qualities, if you have any, so that in the end what people get through the radio, through the broadcast, and through the telecast, is an accurate picture of just exactly what is going on.

PENDING ATOMIC ENERGY LEGISLATION

The SPEAKER pro tempore (Mr. CANFIELD). Under previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 60 minutes.

Mr. HOLIFIELD. Mr. Speaker, the majority leadership has indicated that the atomic energy bill, H. R. 9757, may be brought up this week. This bill, consisting of 104 pages, and almost as many sections, is an exceedingly complicated piece of legislation. It deals with matters of the utmost importance to America's future. As the Members may be aware from the debate going on in the other body with regard to the companion bill, S. 3690, many serious questions have been raised about the inadequacies of the bill and its failure to protect the public interest at crucial points.

I am greatly concerned, myself, at the numerous shortcomings in H. R. 9757. Later in these remarks I shall set forth the views that the gentleman from Illinois [Mr. PRICE] and I, as members of the Joint Committee on Atomic Energy, share with regard to what we believe are errors of omission and commission in the atomic energy bill.

Various Members have signified to me their desire to introduce amendments to particular provisions of H. R. 9757. For the convenience of these and other Members who may wish to prepare themselves for the debate on the atomic energy legislation I have assembled 33 relatively brief amendments.

The amendments are numbered consecutively as they would appear in successive sections or pages of the bill, H. R. 9757. However, they are grouped for convenience in discussion. I ask unanimous consent to have them printed at this point in connection with these remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

(The matter referred to follows:)

Amendment No. 1: On page 3, at the bottom, add the following new subsection:

"i. In achieving the maximum contribution of atomic energy to the general welfare it is essential that the United States, through its own agencies and through other agencies, public and private, undertake a comprehensive program for the production and distribution of electrical power utilizing atomic energy."

Amendment No. 2: On page 4, after line 20, add the following new subsection e and renumber sections e and f as f and g, respectively.

"e. A program for Government and non-Government production and distribution of electrical power utilizing atomic energy so directed as to achieve the maximum public benefits of atomic energy development and make the maximum contribution to the national welfare."

Amendment No. 3: On page 10, line 24, after the word "actions", place a comma and insert the following: "equal access to all

information pertaining to atomic energy matters, whether originating within the Commission or elsewhere in the Government."

Amendment No. 4: On page 11, strike the sentence beginning on line 1, and insert in lieu thereof the following sentence: "The Chairman (or acting Chairman in the absence of the Chairman) shall discharge such of the executive and administrative functions of the Commission as may be delegated by the Commission and as are not in conflict with functions delegated by the Commission to the General Manager or other officers pursuant to section 161o."

Amendment No. 5: On page 13, line 3, after the word "of", insert the following: "Civilian Power Application, a Division of."

Amendment No. 6: On page 15, beginning at line 4, add the following new section, and renumber sections 27 and 28 as sections 29 and 30, respectively (this assumes that the amendment adding an Electric Power Liaison Committee will be sec. 28):

"SEC. 27. Labor-Management Advisory Committee: There shall be a Labor-Management Advisory Committee to advise the Commission on all matters relating to labor-management relations in atomic energy plants and facilities owned or licensed by the Commission, including measures to promote collective bargaining and alleviate industrial strife, health, and safety standards and workmen's compensation provisions and other terms and conditions to be observed by contractors or licensees of the Commission, the application of Federal statutes governing employment and labor standards, personnel security procedures, and the effects of atomic energy enterprises on established industries and occupations. The Committee shall be composed of 9 members who shall be appointed by the President, 4 each representing labor and management and a Chairman representing the public. Each member shall hold office for a term of 6 years, except that (a) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term; and (b) the terms of office of the labor and management representatives first taking office after the effective date of this act, shall expire, as designated by the President at the time of appointment, 1 each at the end of 2 years, 2 each at the end of 4 years, and 1 each at the end of 6 years. The Committee shall meet at least 4 times in every calendar year. The members of the Committee shall receive a per diem compensation for each day spent in the work of the Committee and all members shall receive the necessary traveling or other expenses while engaged in the work of the Committee."

Amendment No. 7: On page 15, beginning line 4, add the following new section 28, and renumber present sections 27 and 28 as 29 and 30, respectively (this numbering assumes a new sec. 27 will be added, establishing a Labor-Management Advisory Committee):

"SEC. 28. Electric Power Liaison Committee: There is hereby established an Electric Power Liaison Committee consisting of—

"a. A Chairman, who shall be the head thereof and who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall receive compensation at the rate prescribed for the Chairman of the Military Liaison Committee; and

"b. A representative of the Federal Power Commission, the Securities and Exchange Commission, the Rural Electrification Administration, the Tennessee Valley Authority, the Bureau of Reclamation, the Bonneville Power Administration, the Southwest Power Administration, the Southeast Power Administration, the Corps of Engineers, and such other Government agencies as the President may from time to time determine. The Chairman of the Committee may designate one of the members of the Committee as Acting Chairman to act during his absence. The Commission shall advise and consult with other Government agencies, through the Committee, on all atomic energy matters which relate to electric power applications of atomic energy, including the development, manufacture, and use of atomic reactors for power purposes, the allocation of special nuclear material for such purposes, the technical, economic, and accounting relationships between production of special nuclear material and atomic energy for electric power and for atomic weapons, appropriate policies to govern the production and distribution of electric power from atomic energy in order that the benefits of such power shall be widely distributed and maximum revenues shall be returned to the Federal treasury, and the integration of atomic power policies and administration with other power activities of the Federal Government; and shall keep other Government agencies, through the Committee, fully and currently informed of all such matters before the Commission. Other Government agencies, through the Committee, shall have the authority to make written recommendations to the Commission from time to time on matters relating to civilian applications of atomic energy as they deem appropriate."

Amendment No. 8: On page 19, line 14, after the word "authorized", insert the following: "and directed."

Amendment No. 9: On page 23, in line 8, after the word "publicly", place a comma and insert the word "cooperatively."

Amendment No. 10: On page 23, strike the sentence beginning in line 9 and insert in lieu thereof the following new sentence: "The Commission shall at all times, in disposing of such energy, give preference and priority to public bodies and cooperatives."

Amendment No. 11: On page 23, after line 12, add the following new section:

"SEC. 45. Electric power production: a. The Commission is empowered to produce or provide for the production of electric power and other useful forms of energy derived from nuclear fission in its own facilities or in the facilities of other Federal agencies. In the case of energy other than electric power produced by the Commission, such energy may be used by the Commission, or transferred to other Government agencies, or sold to other users at reasonable and nondiscriminatory prices. Electric power not used in the Commission's own operations shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power in accord with the provisions of section 5 of the Flood Control Act of 1944 (58 Stat. 890).

"b. The Commission may undertake any or all of the functions provided in subsection 45a, through other Federal agencies authorized by law to engage in the production, marketing, or distribution of electric energy for use by the public, and such agencies are hereby empowered to undertake the design, construction, and operation of nuclear power facilities and the disposition of electric energy produced in such facilities when funds therefor have been appropriated by Congress. Nothing in this act shall preclude any Federal agency now or hereafter authorized by law to engage in the production, marketing, or distribution of electric energy from obtaining a license under section 103 of this act for the construction and operation of facilities for the production and utilization of special nuclear material or atomic energy for the primary purpose of producing electric energy for disposition for ultimate public consumption."

Amendment No. 12: On page 42, beginning line 16, strike section 102 and insert in lieu thereof the following:

SEC. 102. Finding of practical value: Whenever in its opinion any industrial, commercial, or other nonmilitary use of special nuclear material or atomic energy has been sufficiently developed to be of practical value, the Commission shall prepare a report to the President stating all the facts with respect to such use, the Commission's estimate of the social, political, economic, and international effects of such use, and the Commission's recommendations for necessary or desirable supplemental legislation. The President shall then transmit this report to the Congress together with his recommendations. No license for any utilization or production facility shall be issued by the Commission pursuant to section 103 until after (1) the Commission has made a finding in writing that the facility is of a type sufficiently developed to be of practical value for industrial or commercial purposes; (2) a report of the finding has been filed with the Congress; and (3) a period of 90 days in which the Congress was in session has elapsed after the report has been so filed. In computing such period of 90 days, there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days."

Amendment No. 13: On page 42, in line 23, after the word "Commission", insert the following: "and report to the Congress."

Amendment No. 14: On page 43, in line 16, after the semicolon, insert the following new item (3) and renumber the present (3) as (4): "(3) who agree, if the license is for facilities for the utilization of special nuclear material for the generation of electric energy for sale, to claim no value for such facilities for ratemaking purposes in excess of the net investment in such facilities as defined in the Federal Power Act."

Amendment No. 15: On page 44, in line 3, change the period to a colon and add the following proviso: *"Provided, however,* That upon not less than 2 years' notice in writing from the Commission the United States shall have the right upon and after the expiration of any license to take over and thereafter to maintain and operate any facility or facilities for the utilization of special nuclear material for the generation of electric energy on payment of the net investment of the licensee in such facilities, with severance damages, if any, in general accordance with the terms of section 14 of the Federal Power Act: *And provided further,* That, if the United States does not exercise its right to take over the facility or facilities on the expiration of any license, States, municipalities, and cooperatives shall have a prior right of acquisition on the same terms in connection with the issuance of a new license for such facility or facilities."

Amendment No. 16: On page 47, beginning in line 21, after the letter "b", insert the following new sentence: "Where activities under any license might serve to maintain or to foster the growth of monopoly, restraint of trade, unlawful competition, or other trade position inimical to the entry of new, freely competitive enterprises in the field, the Commission is authorized and directed to refuse to issue such license or to establish such conditions to prevent these results as the Commission, in consultation with the Attorney General, may determine."

Amendment No. 17: On page 52, in line 12, strike the word "approved" and insert in lieu thereof the following: "submitted to the President."

Amendment No. 18: On page 52, in line 22, after the word "purpose" and before the semicolon insert the following: "except where the President determines that such uses will bring reciprocal benefits and be otherwise advantageous to the United States."

Amendment No. 19: On page 53, in line 16, before the period, insert the following: "after which period of time the agreement shall take effect."

Amendment No. 20: On page 53, beginning at line 17, strike the wording of section 124 and insert the following in lieu thereof:

SEC. 124. International atomic pool: The President is authorized to enter into an international arrangement with any nation

or number of nations or with an organization representing any or all of such nations providing for international cooperation in the nonmilitary applications of atomic energy. The President is further authorized to request the cooperation of or the use of the services and facilities of the United Nations, its organs, its specialized agencies, or other international organizations in carrying out the purposes of this section. Any agreements made by the United States under the authority of this section with other governments and with international organizations shall be registered with the Secretariat of the United Nations in accordance with the provisions of article 102 of the United Nations Charter. In the event further legislation is necessary to implement an international arrangement authorized by this section, the President shall transmit recommendations therefor to the Congress."

Amendment No. 21: On page 58, in line 18, after the word "That", insert the following: "unless the President determines that the common defense and security will be endangered thereby."

Amendment No. 22: On page 61, in line 21, after the word "the", insert the following: "production or."

Amendment No. 23: On page 62, in line 3, after the word "the", insert the following: "production or."

Amendment No. 24: On page 63, after line 4, add the following new subsection:

"e. No patent hereafter granted shall confer any rights with respect to any invention or discovery to the extent that such invention or discovery is used in the conduct of research or development activities in the fields specified in section 31. Any rights conferred by any patent heretofore granted for any invention or discovery are hereby revoked to the extent that such invention or discovery is so used, and just compensation shall be made therefor."

Amendment No. 25: On page 63, beginning line 6, strike the wording of section 152 and insert in lieu thereof the following new language:

"SEC. 152. Nonmilitary utilization:

"a. It shall be the duty of the Commission to declare any patent to be affected with the public interest if: (1) the invention or discovery covered by the patent utilizes or is essential in the utilization of special nuclear material or atomic energy; and (2) the licensing of such invention or discovery under this section will effectuate the policies and purposes of this act.

"b. Whenever any patent has been declared affected with the public interest, pursuant to subsection 152a—

"(1) the Commission is hereby licensed to use the invention or discovery covered by such patent in performing any of its powers under this act; and

"(2) any person to whom a license has been issued under sections 53, 62, 63, 81, 103, or 104, or to whom a permit or lease has been issued under section 67, or who is engaged in activities otherwise authorized by this act, is hereby licensed to use the invention or discovery covered by such patent to the extent such invention or discovery is used by him in carrying on the activities authorized by his license, permit, lease or otherwise.

"c. In the event the Commission fails to declare any patent to be affected with the public interest or finds any patent not to be so affected, under subsection 152a, any person conducting activities authorized under this act may at any time make application to the Commission for a patent license for the use of an invention or discovery useful in the production or utilization of special nuclear material or atomic energy covered by a patent. Each such application shall set forth the nature and purpose of the use which the applicant intends to make of the patent license, the steps taken by the applicant to obtain a patent license from the owner of the patent, and a statement of the effects, as estimated by the applicant, on the authorized activities which will result from failure to obtain such patent license and which will result from the granting of such patent license.

"d. Whenever any person has made an application to the Commission for a patent license pursuant to subsection 152c—

"(1) the Commission, within 30 days after the filing of such application, shall make available to the owner of the patent all of the information contained in such application, and shall notify the owner of the patent of the time and place at which a hearing will be held by the Commission;

"(2) the Commission shall hold a hearing within 60 days after the filing of such application at a time and place designated by the Commission; and

"(3) in the event an applicant applies for two or more patent licenses, the Commission may, in its discretion, order the consolidation of such applications, and if the patents are owned by more than one owner, such owners may be made parties to one hearing.

"e. If, after any hearing conducted pursuant to subsection 152d, the Commission finds that—

"(1) the invention or discovery is to be used in the conduct of activities authorized under this act;

"(2) the licensing of such invention or discovery is of primary importance to the conduct of the activities of the applicant; and

"(3) such applicant cannot otherwise obtain a patent license from the owner of the patent on terms which the Commission deems to be reasonable for the intended use of the patent to be made by such applicant, the Commission shall license the applicant to use the invention or discovery covered by the patent for the purposes stated in such application.

"f. The Commission shall not grant any patent license pursuant to subsection 152e for any other purpose than that stated in the application. Nor shall the Commission grant any patent license to any other applicant for a patent license on the same patent without an application being made by such applicant pursuant to subsection 152c, and without separate notification and hearing as provided in subsection 152d, and without a separate finding as provided in subsection 152e.

"g. The owner of the patent affected by a declaration or a finding made by the Commission pursuant to subsection 152b or 152e shall be entitled to a reasonable royalty fee from the licensee for any use of an invention or discovery licensed by this section. Such royalty fee may be agreed upon by such owner and the patent licensee, or in the absence of such agreement shall be determined for each patent license by the Commission pursuant to subsection 156c.

"h. The provisions of this section shall apply to any patent the application for which shall have been filed before September 1, 1964."

Amendment No. 26: On page 68, in lines 12, 13, and 14, strike the word "Advisory."

Amendment No. 27 (in the event the amendment establishing a Labor-Management Advisory Committee is accepted, conforming language should be written to give the members thereof the same privileges as other advisory committees in sec. 163.): On page 79, in line 10, after the words "section 26", place a comma and add the following: "the members of the Labor-Management Advisory Committee established pursuant to section 27."

Amendment No. 28: On page 80, in line 9, add the following new sentence: "Nothing in this section shall be deemed to authorize the Commission to contract for electric utility services which are not delivered by the contractor directly to the installations named herein."

Amendment No. 29: On page 86, in line 18, after the comma insert the following: "to municipalities, public bodies, and cooperatives within transmission distance authorized to engage in the distribution of electric energy to the public."

Amendment No. 30: On page 86, in line 21, add the following new sentences: "In case of protests or conflicting applications or requests for the establishment of special conditions in prospective licenses, the Commission shall, prior to issuance of any license, hold public hearings on such application or applications in general accordance with the procedures established in connection with consideration of applications for licenses under the Federal Power Act and interested parties shall have the same rights of intervention in such proceedings, application for rehearing, and appeal from decisions of the Commission as are provided in that act and in the Administrative Procedure Act. In any proceeding before it the Commission, in accordance with such rules and regulations as it may prescribe, may admit as a party any interested State, State commission, municipality, public or cooperative electric system, or any competitor of a party to such proceeding, or any other person whose participation may be in the public interest."

Amendment No. 31: On page 87, in line 3, add the following new sentence: "Where conflicting applications include those submitted by public or cooperative bodies, such applications shall receive preferred consideration over any submitted by privately owned utility systems."

Amendment No. 32: On page 87, following line 20, add the following new subsection e:

"e. Every licensee under this act, holding a license from the Commission for a utilization or production facility for the generation of commercial power under section 103, shall be subject to the regulatory provisions of the Federal Power Act applicable to licensees under that act as established by sections 301, 302, 304, and 306 thereof and to such other provisions of the Federal Power Act as provide for the enforcement of the regulatory authority of the Federal Power Commission with respect to licensees for development of waterpower."

Amendment No. 33: On page 89, in line 9, change the period to a comma and add the following: "and no construction permit shall be issued by the Commission until after the completion of the procedures established by section 182 for the consideration of applications for licenses under this act."

Mr. HOLIFIELD. Mr. Speaker, the following are my comments on the amendments:

POWER AMENDMENTS

One group of amendments deals with the production of electrical power from atomic energy. These I refer to as the power amendments. They comprise amendments numbered 1, 2, 5, 7, 9, 10, 11, 14, 15, 29, 30, 31, 32, and 33. A brief description of each of the power amendments follows:

Amendment No. 1 adds to the congressional findings in section 2 of the bill the finding that a comprehensive program for the production and distribution of electrical power utilizing atomic energy is essential in achieving the maximum contribution of atomic energy to the general welfare. The finding states that such a program should be carried out by Federal agencies and by other agencies, public and private. There should be no

objection whatever to a congressional finding of this nature. After all, the key to the peacetime benefits of atomic energy is electrical power. If those benefits are to be realized, as this bill intends, then the Congress should be willing to so state at the outset.

Amendment No. 2 is in line with amendment No. 1 and clarifies the purpose of the bill that a program of Government and non-Government production and distribution of electrical power utilizing atomic energy should be undertaken and so directed as to achieve the maximum public benefits of atomic energy development and make the maximum contribution to the national welfare.

Amendment No. 5 provides an organizational base for the atomic power program by providing for a Division of Civilian Power Application in section 25. That section already provides for a Division of Military Application. Since this bill is intended to emphasize the peacetime development of atomic energy certainly civilian applications should have equal recognition in the organizational setup of the Atomic Energy Commission with military applications.

Amendment No. 7 follows through on amendment No. 5 and provides for an Electric-Power Liaison Committee commensurate with the Military Liaison Committee now provided in section 27. The effort here again is to put the civilian peacetime benefits of atomic-energy development on a par with the military aspects. The Electric-Power Liaison Committee would bring in other agencies of the Federal Government concerned with electric-power activities and would serve to keep these agencies and the Atomic Energy Commission in step on the atomic phases of national power politics.

Amendments Nos. 9 and 10 provide that preference and priority shall be given to public bodies and cooperatives in the disposal of byproduct electrical energy produced by the Atomic Energy Commission in connection with the production of special nuclear—fissionable—material in facilities owned by the United States. These amendments bring the Federal marketing of electrical energy from atomic sources in line with the Federal marketing of energy produced at water-power sites. They eliminate the provision in section 44 that the price shall be subject to appropriate regulatory agencies, for no appropriate State or Federal agency has regulatory jurisdiction over the price at which the United States sells the energy it produces.

Amendment No. 11 adds a new section 45 to the bill empowering the Atomic Energy Commission in its own facilities or through the facilities of other Government agencies to engage in the production of electrical power and other useful forms of energy derived from nuclear fission. This amendment makes it clear that the Federal Government as well as other agencies, public and private, can produce and distribute atomic power. In this way a yardstick will be provided to measure the reasonableness of atomic power prices charged by privately owned utilities in the application of this great new source of energy.

Amendment No. 14 provides that licenses of the Atomic Energy Commission producing commercial electrical power from nuclear material must agree as a condition of receiving their licenses that the net investment in atomic facilities, is the limit of the value they can claim for rate-making purposes. This amendment applies the standards in the Federal Power Act to atomic facilities for the production of electrical power.

Amendment No. 15 provides that upon 2 years' notice the United States will have the right to take over, maintain, and operate any atomic power facility for which the license has expired, upon payment of the net investment of the licensee plus severance damages, if any. If the Government does not exercise such right, States, municipalities, and cooperatives will have a prior right of acquisition on the same terms in connection with the issuance of a new license. These provisions are similar to those in the Federal Power Act relating to the licensing of waterpower sites.

Amendment No. 29 provides that before issuing licenses for the operation of atomic-power facilities, the Atomic Energy Commission must give notice in writing to municipalities, public bodies and cooperatives within transmission distance of the proposed power activity. By receiving adequate notices, such public agencies will be enabled to make an appearance before the Commission or present pertinent information affecting the application for a license.

Amendment No. 30 follows through on amendment No. 29 and provides that the Atomic Energy Commission shall hold public hearings in case of protests or conflicting applications or requests for special conditions in prospective licenses. Interested parties are to have the same rights of intervention, application for rehearing and appeal from Commission decisions as are provided in the Federal Power Act and the Administrative Procedure Act. State, municipal, and other public agencies, cooperatives, competitors of the applicant, and so forth, are to be admitted as interested parties at such proceedings.

Amendment No. 31 provides that in case of conflicting license applications for atomic-power facilities, public bodies and cooperatives shall receive preferred consideration over privately owned utilities. This amendment follows the policy laid down in the Federal Power Act for license applications for waterpower sites.

Amendment No. 32 provides generally that licensees of the Atomic Energy Commission engaged in producing atomic power shall be subject to the regulatory provisions of the Federal Power Act applicable to licensees under the act.

Amendment No. 33 follows through on amendments Nos. 29, 30, and 31 and makes the procedures of section 182 applicable to construction permits as well as licenses. Since a permit to construct an atomic-power facility would in all likelihood be followed by a license, it is important that the same procedural safeguards in the case of licenses be applied to construction permits.

DIXON-YATES AMENDMENT

Amendment No. 28 deals with a collateral but important issue in the power field. It is concerned not with atomic-power production as such but with the authority of the Atomic Energy Commission to make long-term contracts for conventional utility services. This amendment adds a sentence to section 164 of the bill affirming the intent of Congress that AEC can make long-term utility contracts for servicing its own installations but not in the capacity of power broker for other agencies or outside parties.

AMENDMENTS ON COMMISSIONERS' STATUS

Amendment No. 3 makes it clear that each member of the Atomic Energy Commission has equal access to all information pertaining to atomic energy matters, whether originating inside or outside the Commission. This amendment is necessary because the AEC Chairman has kept important information on atomic energy matters to himself, claiming a special status as adviser to the President on atomic energy affairs.

Amendment No. 4 eliminates the ambiguous designation of the Chairman as "official spokesman" of the Atomic Energy Commission and makes it clear that any authority he exercises in an executive capacity is by delegation from the Commission as a whole. Without this amendment, the executive and administrative responsibilities of the Chairman and the General Manager would be conflicting or would overlap.

LABOR-MANAGEMENT ADVISORY COMMITTEE AMENDMENTS

Amendment No. 6 sets up a Labor-Management Advisory Committee in the Atomic Energy Commission. In view of the difficult labor-management relations in the atomic energy field, with its tight security requirements and the many new problems of health, safety, and other applications of labor standards that would arise, a Labor-Management Advisory Committee can perform many useful functions in helping to make orderly adjustments as private enterprise comes into the field.

Amendment No. 27 is related to amendment No. 6 and provides that the proposed new Labor-Management Advisory Committee shall have the same status under the law as the General Advisory Committee and other advisory committees.

COMMISSION RESEARCH AMENDMENT

Amendment No. 8 directs the AEC to carry on research and development activities in the atomic field. In section 32 of the bill, the Commission is only authorized to carry on such activities. The amendment makes it clear that the Congress does not want the AEC to slacken its momentum in atomic research.

AMENDMENTS FOR REPORT TO CONGRESS

Amendment No. 12 reinstates the requirement in the present atomic energy law that the Atomic Energy Commission shall make a comprehensive report to

Congress on the social, political, economic, and international effects of atomic energy whenever it finds that development in the civilian field has reached the stage of "practical value." The AEC to date has evaded making such a report which the Congress should have before enacting further legislation in this important field. The amendment also requires that proposed licenses shall be submitted to the Congress for a 90-day period before being issued by the Commission.

Amendment No. 13 is a minor language change to conform to amendment No. 12.

MONOPOLY PREVENTION AMENDMENT

Amendment No. 16 reinstates in section 145b the requirement in the present atomic energy law that the Atomic Energy Commission shall have an affirmative responsibility to prevent monopoly or restraint of trade in the exercise of its licensing function. The pending bill relieves the Commission of this responsibility and "passes the buck" to the Department of Justice or Federal Trade Commission. Many agencies of Government have affirmative responsibilities to prevent monopoly or encourage free competitive business, and the amendment is in line with established practices.

PATENT AMENDMENTS

Amendments Nos. 22 through 26 deal with the patent sections of the bill.

Amendment No. 22 reinstates in section 151 a requirement in the present atomic energy law that inventions used solely in the "production" of special nuclear material or atomic energy are outside the patent area. The purpose of this amendment is to prevent patent bottlenecks on basic production processes for atomic weapons. The pending bill limits the patent ban to "utilization" of inventions in atomic weapons.

Amendment No. 23 is conforming language with amendment No. 22 and provides that no patent rights shall be conferred for inventions to the extent used in production of special nuclear material or atomic energy in atomic weapons.

Amendment No. 24 reinstates a provision in the present atomic energy law that no patent rights will be granted for any invention to the extent used in the conduct of atomic research and development activities. This amendment is necessary to insure that research will not be hampered by patent restrictions.

Amendment No. 25 simplifies the procedure for declaring patents "affected with a public interest" so that the Atomic Energy Commission and other authorized users can have access to the patented inventions. The amendment also simplifies the procedures whereby authorized persons may have access to important patents even though not formally declared "affected with a public interest." Both procedures are provided in the pending bill but are so cumbersome and restrictive that access to important patents will be extremely limited unless the amendment is adopted. The period of accessibility to patents is extended by the amendment from 5 years to 10 years, because the next 10 years are the crucial period in the advancement of atomic technology, and during that period new firms will be able to enter the field if patent monopolies do not stand in their way.

Amendment No. 26 eliminates the word "Advisory" from the Patent Compensation Advisory Board in section 156a, to make it clear that the Board can be delegated authority to make final decisions in patent compensation, awards, and royalties in the event the Atomic Energy Commission finds this work too time-consuming to the detriment of major duties.

AMENDMENTS ON INTERNATIONAL ACTIVITIES

Amendments Nos. 17 through 21 deal with the international aspects of atomic energy.

Amendment No. 17 requires that proposed agreements for cooperation with other nations in authorized atomic energy activities "be submitted" to the President by the Atomic Energy Commission or the Department of Defense. In section 123 of the pending bill, those agencies have to "approve" agreements, thereby ostensibly having authority to override a decision of the President in the international field.

Amendment No. 18 provides that the proposed limitation on other nations using our material for atomic weapons, or research and development on atomic weapons, can we waived by the President when he determines the United States will get reciprocal benefits. In this way, we can gain the benefits of atomic discoveries in other nations such as Great Britain.

Amendment No. 19 clarifies the time when a proposed agreement for cooperation can take effect. Since the proposal must be submitted to the joint committee for a 30-day period, the amendment allows the President to make adjustments in proposed agreements to meet congressional objections before the end of the 30-day period, at which time, according to the amendment, the agreement comes into effect.

Amendment No. 20 rewrites section 124 providing for an international atomic pool. The President's authority to make international arrangements for an international pool for nonmilitary applications of atomic energy should not be hampered by the limiting provisions of section 123. The Congress has a sufficient check in this field because concurrence of both Houses of Congress is required for an international arrangement, as defined in section 11k of the bill. The amendment also authorizes the President to call upon the United Nations and its specialized agencies in working out an atomic pool arrangement.

Amendment No. 21 provides that the restrictions on communicating atomic weapons information can be lifted by the President if he determines that otherwise the defense and security of the United States will be endangered. The purpose of this amendment is to allow for those contingencies when it may be to the best interests of our own defense and security to let our allies have certain information relating to atomic weapons.

Because the time to be allotted for debate on the atomic energy bill is so relatively brief, I believe the members will be greatly aided in their study of the legislation by the following analysis in which Congressman PRICE concurs with me.

INTRODUCTION

Mr. Speaker, the atomic energy bill is one of the most important bills before the Congress. It proposes to chart the future course of peacetime atomic energy development. So deep and far-reaching is its potential impact on the American economy and upon our position in world affairs that we consider it necessary to set forth our own views and reservations concerning the bill.

As members of the Joint Committee on Atomic Energy we have endeavored always to act in a spirit of nonpartisanship. The duties and responsibilities committed to the jurisdiction of our committee are too directly concerned with the Nation's security and welfare to allow the play of partisan politics. In the same objective way we have tried to approach this legislation.

During the course of the committee hearings and conferences, we have presented what we believe were constructive proposals for improving the bill. Some were accepted in whole or in part and others rejected. Among the committee members there were, and presumably still are, many differences of opinion and interpretation regarding particular provisions of the bill. We respect those differences, and although we were willing to have the bill reported out for floor debate, the public importance of this measure compels us to recount here what some of us consider still its major defects.

The discussion proceeds under the following headings: First, "The Legislative Setting"; second, "Questionable Form and Timing"; third, "Evasion of 7–B Report"; fourth, "Placing AEC Chairman on Pedestal"; fifth, "Withholding Information From Commissioners"; sixth, "Overriding the Commission's Will"; seventh, "Limiting AEC Power Production"; eighth, "Inadequate Power Licensing Provisions"; ninth, "Need for Division of Civilian Power Application"; tenth, " 'Passing the Buck' on Monopoly Prevention"; eleventh, "Limiting Access to Patents"; twelfth, "Built-In Subsidy Feature"; thirteenth, "Omission of Labor-Management Provision"; fourteenth, "Complicating International Arrangements"; and fifteenth, "Increasing Military Posture."

1. THE LEGISLATIVE SETTING

The atomic energy program of the United States is governed by the Atomic Energy Act of 1946, known as the McMahon Act. The basic legislation, enacted in 1946, has been amended from time to time in certain respects, but the original pattern of Government control has not been substantially altered.

The monumental contributions of the atomic energy program under the McMahon Act to the common defense and security and to the protection of the free world need not be recited here. They testify to the basic worth of the legislation and to the wisdom of those who conceived it. President Eisenhower affirmed this testimony when he said in a special message to the Congress on February 17, 1954 that "the act in the main is still adequate to the Nation's needs."

The question that now confronts the Congress is what changes are necessary and desirable in the McMahon Act. Unquestionably, some changes are in order. The swift pace of atomic technology, the development of new atomic weapons, the ending of the American monopoly in atomic bombs, all provide—as the President observed in his message—a new setting for the legislative problem.

The broad objectives to be sought by new legislation are not in dispute. Changing requirements of mutual defense demand a freer exchange of atomic information with our allies. Beyond atomic armament for mutual defense, there is the mutual benefit of working together with friendly countries to develop the peacetime uses of atomic energy. At home as well as abroad, this great source of energy holds forth the exciting promise of industrial progress and higher standards of living.

Whether the bill now before us would enhance the achievement of these objectives is an exceedingly complex question. The answers, we believe, are both "Yes" and "No." The negative side weighs so heavily that we cannot support the bill without further amendment.

2. QUESTIONABLE FORM AND TIMING

The method of presentation and the timing of the proposed legislation, in our opinion, are most unfortunate. It represents a complete rewriting of the McMahon Act, carrying over some provisions of the existing law intact, modifying others and adding entirely new sections. Thus the Congress is confronted, in the closing days of this session, with a single-package bill comprehending a bewildering array of technical matters. Some are timely; others could well be postponed. The form and wording of the bill, with its many new definitions, cross-referenced and inter-related sections, make it virtually impossible for the Congress to select the more urgent matters for action at this time. It is an "all or none" proposition.

Before this bill was drafted, we took the position, and I stated publicly, that the Congress should put first things first and enact those amendments which might be necessary to implement the President's proposal, made before the United Nations General Assembly, for an atomic pool of resources to encourage peacetime development of atomic energy among nations and to prepare the way for international accord on atomic armaments. We see no compelling reason why the legislative requirements to facilitate an exchange of atomic information with friendly nations, whether for purposes of mutual defense or peacetime endeavor, have to be coupled with the granting of private ownership and patent rights in atomic energy to domestic corporations. Defense of the free nations and world peace demand more urgent attention than the desire of a few industrial and utility companies to own and operate atomic reactors.

Furthermore, international obligations and domestic aims in atomic-energy development may conflict if simultaneously pursued now. We advert to this matter below.

When President Eisenhower submitted his special message of February 17 on atomic energy, he asked the Congress to approve a number of amendments to the Atomic Energy Act. His recommendations did not contemplate a complete rewriting of the McMahon Act. Accompanying his message were drafts of two separate bills, prepared by the Atomic Energy Commission, proposing to amend the McMahon Act in order to, first, widen cooperation with our allies in certain atomic-energy matters and improve procedures for the control and dissemination of atomic-energy information; and second, encourage broader industrial participation in the development of peacetime uses of atomic energy here at home.

The President's two-package presentation, whether we agree with his particular recommendations or not, at least would have afforded the Congress an opportunity to act on atomic-energy matters of more immediate concern without having to consider, as it does now, the whole range of controversial matters embodied in H. R. 9757. Joint committee members have every right to prepare their own legislation, and indeed are to be commended for their initiative. However the sponsors of the pending bill would have been well advised to take a two-package approach and act first upon the President's suggestions relating to cooperation with our allies, rather than ask the Congress to swallow the whole mass of complicated legislation in one gulp.

Defense and peace requirements in atomic energy which involve our allies should have been first on the agenda. Then the Congress could have taken a long, hard look at the pending proposals to confer private ownership and patent rights in the atomic field.

3. EVASION OF 7–B REPORT

The framers of the McMahon Act, preoccupied as they were with the awesome implications of the atomic bomb, nevertheless registered their desire "to promote the use of atomic energy in all possible fields for peacetime purposes"—79th Congress, 2d session, Senate Report No. 1211, page 20. In anticipation of such peacetime uses, they decided that the Congress should have the benefit of a comprehensive report from the Atomic Energy Commission whenever atomic energy developments appeared to be of "practical value." Section 7 (b) of the McMahon Act reads in part as follows:

> Report to Congress: Whenever in its opinion any industrial, commercial, or other nonmilitary use of fissionable material or atomic energy has been sufficiently developed to be of practical value, the Commission shall prepare a report to the President stating all the facts with respect to such use, the Commission's estimate of the social, political, economic, and international effects of such use and the Commission's recommendations for necessary or desirable supplemental legislation. The President shall then transmit this report to the Congress together with his recommendations.

The Atomic Energy Commission has never seen fit to prepare and present the report required by section 7 (b) of the McMahon Act. One year ago the Commission submitted to the joint committee informally a draft of legislation intended to promote wider industrial participation in the atomic energy program, asserting at the same time that atomic energy developments had not reached the stage of "practical value" and that therefore a report under section 7 (b) would be premature.

The President's message of February 17, transmitting new drafts of legislation from the Commission, states hopefully that peacetime use of atomic energy "can soon become a reality" but makes no mention whatever of a 7 (b) report. A joint committee request in writing to the Commission dated July 31, 1953, for the required report, elicited a promise to file an interim report before 1954. The final gesture as a substitute for actual compliance was an extended speculative essay on the prospects for future industrial development of atomic energy which comprised the major portion of the testimony presented by AEC Chairman Lewis Strauss in his appearance before the joint committee during the June 1954 hearings.

If a 7 (b) report is premature, as the Commission held last year and still appears to hold by its failure to produce the report, then legislation such as the pending bill, which would lay down a blueprint for industrial activities in the atomic energy field, also is premature. If, on the other hand, the stage of "practical value" is at hand, the Atomic Energy Commission has evaded the clear intent of Congress set forth in section 7 (b) of the McMahon Act.

The sponsors of H. R. 9757 propose to escape from this dilemma by the simple expedient of eliminating the requirement for a 7 (b) report to Congress. The Congress now is asked to legislate for the peacetime uses of atomic energy without the benefit of the careful and comprehensive report from the Commission contemplated by the framers of the McMahon Act. We do not agree with the contention in the majority report—page 19—that the Commission's general obligation to keep the committee informed, and the proposed new obligation of the committee to investigate the development of the atomic energy industry during the first 60 days of each session of Congress, justify discontinuance of the requirement for the report.

This omission is not a mere matter of form or one to be taken lightly. The "social, economic, political, and international effects" of using this new source of energy are certain to be profound and wideranging, even if we discount the more exaggerated and optimistic claims. Surely the Congress is entitled, before legislating, to have the expert analysis and advice of the independent Commission it created to administer the atomic energy program.

The sponsors of H. R. 9757 have retained a watered-down version of the 7 (b) report in connection with licensing activities, minus the essential feature of presentation to the Congress. In section 102 of the pending bill, the Atomic Energy Commission would have to make a finding in writing as to the practical value of "any type of utilization or production facility" before issuing a license in a given case. This is a modification

of the McMahon Act provision which tied the 7 (b) report to a specific requirement that before any license could be issued by the Commission for the manufacture, production, export, or use of atomic energy equipment or devices, a report had to be filed with the Congress concerning the activity sought to be licensed, which report was to lie before the Congress for 90 days before issuance of the license. The framers of the McMahon Act evidently regarded industrial licensing in this field so important as to justify a congressional review of specific licensing actions.

4. PLACING AEC CHAIRMAN ON PEDESTAL

In considering legislation which proposes a complete overhaul of the McMahon Act, our joint committee might well have undertaken a systematic review of all phases of the Atomic Energy Commission's organization and management. This it did not do. The committee's interest in the management of the atomic energy program was directed mainly to a proposal to make the chairman of the Commission its principal officer. Seemingly innocuous and trivial at first, this proposal has opened up issues of such gravity and importance that it merits extended discussion.

Why the sponsors of the pending bill desired to elevate by statutory prescription the Chairman of the Atomic Energy Commission, it is difficult to say. Under the McMahon Act, basic authority to administer the atomic-energy program was vested in a five-man Commission responsible for important policy decisions. The act also provided for a General Manager to whom the Commission could delegate executive and administrative functions. The General Manager is the Commission's director of operations, responsible for day-to-day administration.

This organizational arrangement, which brings to bear the collective judgment of the 5-man Commission on crucial matters in the atomic-energy program, while centering in 1 officer the responsibility for directing its far-flung operational activities, appears to be well-conceived and conducive to good administration. Three of the five Commissioners testified as to its efficacy. The General Manager gave a clear and explicit statement of his duties and relationship to the Commission. No important evidence had ever been brought before the joint committee to indicate that the organizational arrangement was unsatisfactory and should be altered by law.

Nevertheless, Chairman Strauss appeared before the joint committee to ask for additional authority in the Chairman's office. He disavowed any responsibility for originating the principal-officer proposal, suggesting that the Chairman's role should be defined more precisely than by the simple designation "principal officer." Mr. Strauss rested his argument on the recommendations of the first Hoover Commission that the chairmen of certain regulatory commissions be made responsible for carrying on the executive and administrative tasks of these commissions.

Since Mr. Strauss relied so heavily on the Hoover Commission report, it is well to emphasize that the Atomic Energy Commission—hardly more than a year old when the Hoover Commission started to work—specifically was excluded from the Hoover Commission studies on independent regulatory commissions.

The Task Force Report on Regulatory Commissions, Appendix N, upon which the Hoover Commission based its report, states at page 3:

> Although the Atomic Energy Commission has certain regulatory powers and is an independent commission, it has been excluded partly because so large a part of its work is operational, and partly because so many of its problems appear to be unique.

Again the task-force report states at page 29:

> To avoid misunderstanding, we emphasize that our examination has been limited to the regulatory commissions; we have not made any study of primarily operating commissions such as the Atomic Energy Commission and the Tennessee Valley Authority, both of which combine a governing board with an executive official to manage the operations of the agency. Consequently we do not intend to imply any judgment on such an organization for these purposes.

The statements we have quoted make it clear and certain that the first Hoover Commission's recommendations concerning regulatory commissions in general were not intended to apply to the Atomic Energy Commission in particular. Mr. Hoover has expressed his personal opinion in a telegram to Chairman COLE that the general recommendations are applicable to the Atomic Energy Commission, but there is no warrant for that opinion in the reports of the Hoover Commission. Whether the decision of that group not to study the organization of the Atomic Energy Commission was based on security reasons, as Mr. Hoover asserts, or on the unique and largely operational character of the agency, as the task force reported, the fact remains that the Atomic Energy Commission was not studied.

In an effort to bring the Atomic Energy Commission within the organization pattern which the Hoover Commission recommended for regulatory commissions generally, Mr. Strauss maintained in his testimony that the relationship of Chairman and General Manager in the Atomic Energy Commission is analogous to that of Chairman and executive officer in the recommended organization of regulatory commissions. This analogy is inaccurate and misleading.

The Hoover Commission Task Force regarded the executive officer as the designee of the chairman, working under the chairman's active direction, speaking in his name, reporting to him exclusively, taking from him the burden of routine administrative detail but keeping away from policy matters which are the business of the Commission itself—see Task Force Report on Regulatory Commissions, Appendix N, pages 47–48. In other words, the executive officer is the Chairman's helper in discharging day-to-day administrative duties which the task force proposed to be vested in the Chairman of the regulatory commission.

Under the law governing the Atomic Energy Commission, the General Manager enjoys a much more important position than that of Chairman's helper. He receives a salary of $20,000 per annum, equal to that of the Chairman and exceeding by $2,000 that of each other Commissioner. He performs executive or administrative duties delegated by the whole Commission, whereas the executive officer, in Mr. Strauss' analogy, would be merely carrying out such duties vested in the Chairman.

The anomalous situation that would be created by increasing the Chairman's statutory authority is highlighted by Mr. Hoover's suggestion that the phrase principal officer be clarified by substituting administrative and executive authority. Precisely this authority now is vested by law in the General Manager by delegation from the Commission as a whole.

Commissioner Smyth, in his testimony before the joint committee, pointed out cogently that to give the Chairman greater administrative authority implied that he should assume the functions of the General Manager who has been responsible, since the establishment of the Commission, for day-to-day administration of the Commission's business and staff.

> If the Chairman were to become the senior administrative officer of the Commission, with the General Manager as his deputy—

Commissioner Smyth observed—

> the essential purpose of our commission form of organization would be defeated.

It was his judgment that in such a case "the other Commissioners would be left uninformed and essentially without function"—hearings, part II, page 785.

To accept Mr. Strauss' analogy for the Atomic Energy Commission could only mean that 1 of 2 alternative developments would ensue: Either the General Manager would be reduced in status and authority to a mere executive assistant of the Chairman, or else a straight line of authority or chain of command would be created, running from the Chairman as principal officer to the General Manager in his present position as directing officers of operations, with the four other Commissioners being shunted aside. Under any such arrangement, to use the expression of Commissioner Zuckert, "you would have a Chairman and four junior-grade Commissioners. The Commission would be maintained in form, but there would be a one-man administration in substance.

Although Mr. Strauss said he retained a preference for the commission form of organization in the atomic-energy field, his conviction was a halfhearted one; a substantial portion of his testimony on this matter was given over to the argument that "you can't operate a large business by committee." In this approach he had the backing of one Commissioner, Joseph Campbell, the newest appointee. Mr. Campbell, it appeared, was not quite sure what his duties were as AEC Commissioner or whether a commission even was necessary; he was "not sold" on the commission form of organization and wanted a "more coherent chain of command." Adding up the testimony of Messrs. Strauss and Campbell leaves the net impression that

they have little use for the commission form of organization, but that they are not quite ready to say so.

A year ago, when President Eisenhower designated Mr. Strauss to be Chairman of the Atomic Energy Commission, the New York Times in an editorial warmly applauded the choice and made this observation about the agency Mr. Strauss was to head:

> The Atomic Energy Commission is probably the most important technical body in the world today. It commands intellectual, financial, and industrial resources of unprecedented magnitude. Its power is immense; its decisions have an influence which is far-reaching. For those reasons, it has responsibilities that far transcend those of other Government agencies, except those that are concerned with national defense and with foreign affairs.

That editorial statement is enough to suggest why the Congress placed the management and direction of the atomic energy program in a five-man commission. The undertaking is vast, the responsibilities great, and there is still much pioneering work to do, as Commissioners Smyth and Zuckert emphasized before the joint committee. A commission, the latter said, would make surer progress in charting the tasks ahead "than a line organization of the kind that builds bridges, fights wars, or sells tooth paste."

Similarly, the joint committee reported after its extended investigation of the atomic energy program in 1949:

> The framers of the McMahon Act deliberately established a five-man directorate, rather than a single administrator, to control our atomic enterprise for the very purpose of assuring that diverse viewpoints would be brought to bear upon issues so far-reaching as those here involved (81st Cong. 1st sess., S. Rept. No. 1169, p. 81).

Therefore we are deeply disturbed at the indications that the Atomic Energy Commission is disintegrating as a commission under the chairmanship of Mr. Strauss. Three of five Commissioners, Mr. Smyth, an eminent scientist; Mr. Murray, an experienced businessman; and Mr. Zuckert, an able public administrator, registered their concern with the joint committee over the increasing centralization of authority in the Chairman. They urged the Congress to resist this tendency, and expressed the fear that the designation of the Chairman as "principal officer" would only accelerate it. We agree with them, and we will not support any statutory provision which reinforces the dominance of the Chairman to the detriment of the Commission as a whole.

The committee decided to strike "principal officer" from section 21 of the bill, and the phrase does not appear in the final version, H. R. 9757. The committee also wrote language into that section specifying that each commissioner "shall have equal authority and responsibility." However the Chairman's position was singled out by the following language:

> The Chairman (or the Acting Chairman in the absence of the Chairman) shall be the official spokesman of the Commission in its relations with the Congress, Government agencies, persons or the public, and, on behalf of the Commission, shall see to the faithful execution of the policies and decisions of the Commission, and shall report thereon to the Commission from time to time or as the Commission may direct.

This particular phraseology apparently represents an attempt to write into law part of an informal description of the Chairman's role which Commissioner Smyth presented to the committee. So far as we know, this is the first time a Federal statute proposes to give the chairman of a commission formal status as "official spokesman." Whatever the legal effect of this phrase, we believe it would be a mistake to pin down by law the chairman's accepted position as chief spokesman of the agency.

Designating the Chairman as "official spokesman" and obliging him "to see to the faithful execution of the policies and decisions of the Commission," are either redundant or a roundabout way of granting him the additional authority he seeks. If redundant, as Commissioner Smyth pointed out in connection with the "principal officer" proposal, the wording had best be eliminated. It does not appear in the McMahon Act and its inclusion now would be construed as meaningful since the Congress cannot be assumed to legislate for idle or trivial reasons. If the language is not redundant, this is a grant of new authority which, uncertain though its dimensions, conflicts with the "equal authority and responsibility" of the other Commissioners and overlaps or replaces the authority and responsibility of the General Manager.

5. WITHHOLDING INFORMATION FROM COMMISSIONERS

It was generally acknowledged in the testimony of the other Commissioners that Mr. Strauss is a strong and vigorous chairman, and this, in itself, is a matter for commendation and not criticism. But Mr. Strauss emerges in a dual role; he is not only Chairman of the Atomic Energy Commission, but also special adviser on atomic-energy affairs to the President. He admits he "wears two hats," as they say in Washington. By putting on the hat of special adviser, he can plead the confidence of the Chief Executive and keep his fellow Commissioners in the dark about atomic affairs of the greatest significance.

Three of the five Commissioners, with a combined record of nearly 12 years of service on the Commission, have testified in substance before the joint committee that the present Chairman has not taken them fully into his confidence; that they were not informed about certain important actions affecting the atomic energy field; that their access to the President has been virtually cut off; and that there is an increasing tendency to one-man rule in the Commission.

These Commissioners first read in the newspapers the President's speech before the United Nations General Assembly, calling for an international atomic pool of resources to promote peaceful development of atomic energy. Commissioner Smyth, the only scientist on the Commission and senior in length of service, was not even consulted when the Chairman called for an international conference of scientists. A press conference announcement by the President to the effect that atomic weapons have reached optimum size, came as a surprise to the other Commissioners. Since Mr. Strauss became Chairman, none of the others, with the exception of Mr. Campbell, has had an opportunity to visit the White House or to discuss atomic matters with the President.

There was a noticeable and understandable reluctance among these three Commissioners to place on the public record instances of disaffection and discord in the Commission. And there are those who argue that the Chairman was fully within his rights in withholding information from his fellow Commissioners because of his separate and privileged status as special adviser to the President on atomic-energy matters. Nevertheless, there is enough in the testimony, taken together with evidence from other sources, to warrant the conclusion that the Atomic Energy Commission has fallen to a low point in harmony and effectiveness.

In trying to treat generously of the strong-man propensities in their Chairman, several Commissioners pointed out that atomic energy is becoming a subject of increasing interest to military men, diplomats, and industrialists; that the difficulties and disturbances in the Atomic Energy Commission reflect the changing role of the agency in relation to other agencies of Government and the public; and that in keeping with these changes, the Chairman necessarily is called upon to take an active part in affairs not directly related to the internal business of the Commission.

There is an important element of truth in these assertions. But the larger truth is that the Congress intended the Atomic Energy Commission to administer the atomic-energy program. There is every reason to suppose that a commission, well organized, with a normal amount of self-discipline and good sense in each commissioner, with a chairman possessed of tact and understanding and a degree of administrative ability, can keep the President fully informed and well advised on all atomic-energy matters without distorting the Commission pattern of organization.

It goes without saying that the President can select whomever he pleases to advise him on atomic energy. It does not go, in our judgment, that the President and the Chairman of the Commission can utilize the device of special adviser to thwart the objectives of the Atomic Energy Act and disrupt the performance of the Commission by putting a blank wall between the Chairman and the other Commissioners.

One of the Commissioners took pains to prepare and submit to Chairman Strauss a detailed memorandum on the latter's dual status as Chairman and special adviser, in an effort to determine where the Commission stood. Mr. Strauss himself acknowledged that a psychological conflict had been created by his two-hat role. He offered to lay aside the hat of special adviser if the other Commissioners so desired. The suggestion ought to be accepted. Maintenance of the integrity of the Commission, of full and equal access by the

Commissioners to the information necessary to the proper performance of their duties, will contribute more lasting benefit to the Nation than setting the Chairman on a pedestal closer to the President's ear.

In this context, we are constrained to note that the committee majority, though willing to acknowledge in the bill the equal authority and responsibility of the five Commissioners, were unwilling to write in a guaranty that these Commissioners would have full and equal access to atomic information. The committee report states, page 10:

> The right of the members to have access to all information within the Commisssion flows from this responsibility and authority.

Undoubtedly this is the case, but explicit statutory affirmation is in order, considering the committee majority's insistence on writing new language with regard to the Chairman's position.

Whether the committee report is intended to mean that atomic information outside the Commission does not come within the purview of the Commissioner's authority and responsibility is uncertain. In any event, we consider the omission of the information guaranty in the bill a sad commentary on the extent to which distrust and suspicion condition the affairs of government.

Our committee chairman has stated publicly his view that a majority of the Commission at some future time might want to vote to withhold from 1 or 2 Commissioners information on a particular subject. With great affection and respect for our committee chairman, we must say that this suggestion astounds us. It throws doubt upon the ability of a President of the United States to select Commissioners deserving of trust and respect. It throws doubt on the competence of our investigative agencies in checking the background of such appointees; and it throws doubt on the judgment and wisdom of the Senate in confirming them.

When and where do doubt and suspicion come to rest if they are carried into the highest levels of government? They will eat like a cancer at the vital organs of free government in a democracy.

6. OVERRIDING THE COMMISSION'S WILL

The independence and integrity of the Atomic Energy Commission as a commission are seriously threatened not only from within, by the position of dominance assumed by the Chairman, but from without by overriding orders of the President.

The Nation is treated with the unpleasant spectacle of the Commisssion being ordered, against its better judgment, to enter into a 25-year contract with a private utility syndicate. This contract is not for the purpose of providing utility services to the atomic-energy program. It has all the earmarks of a smart play, figured out in the White House and the Budget Bureau, to have the Atomic Energy Commission run interference for the private utilities in their contest with the Tennessee Valley Authority.

The committee's immediate interest in this activity stems from the fact that the contract is being negotiated under color of the authority granted in section 12 (d) of the McMahon Act, as amended, which section is carried over intact as section 164 of H. R. 9757.

When the Atomic Energy Commission sought and received this authority from the Congress to make long-term contracts, and to pay cancellation charges to the utility groups involved in the event the contracts were terminated, the authority was specifically limited to utility services for the Oak Ridge, Paducah, and Portsmouth installations of the Commission. As the former General Manager, Marion W. Boyer, testified in answer to a question from me at the time the authorizing legislation was being considered by the committee:

> In other words, it is limited to the power requirements for those three installations. It is not a wide-open authority.

Although many Members of Congress had misgivings about this particular grant of authority, which really served no other purpose than the convenience of the private utilities in financing construction of their new plants, the Members understandably were unwilling to overturn arrangements already made for supplying electricity to the atomic-energy projects. The proposed new contract, however, has nothing to do with the power needs of the atomic-energy program. In the words of Commissioners Smyth and Zuckert:

> The present proposal would create a situation whereby the AEC would be contracting for power not 1 kilowatt of which would be used in connection with the Commission production activities (hearings, pt. II, p. 958).

The scheme is for the Commission to maintain its present firm contract for TVA power to run the Paducah plant while contracting for some 600,000 kilowatts of additional power to be delivered by the private-utility group to the TVA for service in the Memphis area, several hundred miles away from any atomic-energy installation. In other words, the AEC would become a power broker, purchasing power it does not need for an area far removed from its activities. The TVA would be forced into buying the power from the private group through AEC instead of building its own plant to serve the Memphis area.

Over the life of the contract, the taxpayers would foot a bill of at least $90 million over and above the cost of power that TVA could produce itself. The $90 million figure is the AEC's own estimate; the TVA estimate is that this new proposal would result in $140 million added cost to the taxpayers.

The members of the Commission and their General Manager struck us as rather shamefaced about the whole business when they came before the committee. They said in effect: "This proposal did not originate with us. We don't like it but higher authority has decreed it, and we will be good soldiers and carry out orders."

The General Manager testified that the proposal "originated in the Bureau of the Budget as an administrative policy." He cited instructions received from the Bureau of the Budget to proceed with negotiations looking toward a definitive contract, despite his advice to the Bureau "that the Commission did not agree on the wisdom of AEC entering into this type of contract"—hearings, part II pages 946 and following.

Chairman Strauss and Commissioner Campbell were the only Commission members who did not object; in fact, Mr. Strauss had been apprised of the Bureau's intentions at least a month before the matter was brought up at a Commission meeting. The meeting in question was held January 19, 1954, 2 days before the budget message of the President was presented to the Congress, stating that "arrangements are being made to reduce, by the fall of 1957, existing commitments of the Tennessee Valley Authority to the Atomic Energy Commission by 500,000 to 600,000 kilowatts." The arrangements involving discussions with the interested utility group, had been going on at least since early December of 1953, and when finally revealed, did not propose to reduce existing TVA commitments to AEC but to compel the TVA purchase of new and additional power from private sources.

Commissioners Smyth and Zuckert, in a joint letter to the Director of the Bureau of the Budget, undertook to express their personal views that the proposed action was awkward and unbusinesslike and involves the AEC in a matter remote from its responsibilities. Commissioner Murray took substantially the same position in testimony before the committee. It is noteworthy that Mr. Murray, as the Commissioner responsible for initiating the first long-term contract between the Commission and a private utility group, frankly acknowledged the unsatisfactory performance of that group in comparison with the TVA, and strongly objected to the proposed new contract—hearings, part II, page 1001.

A great deal more is involved here than a simple controversy between private and public power. Is the Atomic Energy Commission, created by the Congress as an independent agency of Government to administer the vast atomic energy program, which now represents a public investment of $12 billion, to lay aside its collective judgment in deference—nay, subservience—to unrelated budgetary and power policies of the current administration?

Who, one may well ask, is in charge of the Atomic Energy Commission? Are there not five Commissioners duly appointed and confirmed under the law, sworn to administer it faithfully, and answerable to the Congress as well as the President for their performance? Or does higher authority take over whenever the Budget Bureau or the White House has a pet scheme to promote?

As Members of Congress and of this committee, we are interested in the efficient performance of Government agencies. We have supported constructive proposals to improve the organization and management of the executive branch. Certainly the President as the Chief Executive and the appointed heads of the departments and agencies should have the requisite authority to organize their administrative units in a manner conducive to efficient execution of the laws passed by the Congress.

But there is a line to be drawn between Presidential direction of the executive branch for good administration and Presidential usurpation of the authority of independent commissions. The members of the Atomic Energy Commission do not serve at the pleasure of the President. They are appointed by him, of course, but the Senate confirms the appointments, and the period of tenure is fixed by law. The President can remove a Commissioner only for "inefficiency, neglect of duty, or malfeasance in office."

The administration of the atomic energy program is vested by law in the Commission, not in the President. True enough, the President is charged with certain responsibilities of the highest importance, such as directing the Commission to deliver atomic weapons to the Armed Forces for such use as he deems necessary in the national defense; and the President is given extraordinary authority to exempt the Commission from Federal statutes relating to contracts when he determines such action necessary to the common defense and security. But the President is not authorized to substitute his judgment for that of the Commission members in matters committed to their administration, and certainly he is not authorized to direct the Commission to engage in matters foreign to their duties.

For the benefit of the members of the Atomic Energy Commission we say this: The Commission will forfeit the respect of the public and insult the dignity of its high office if it allows itself to become a puppet agency for the execution of purposes alien to the Atomic Energy Act.

Our own committee, too, has a responsibility in connection with this matter. It is proposed to reenact authority which, in our view, provides no legal justification whatever for the contract under negotiation. None of the three installations named in section 164 of the bill is involved in the proposed new electrical power arrangements, and only by the most violent stretching of an incidental phrase can the general counsel for the Atomic Energy Commission wrap the cloak of legality around this action.

This latest move of the AEC at the behest of the Budget Bureau illustrates the danger of legislating quickly without laying down adequate standards. As the Federal Power Commission observed in connection with section 164:

> Here again the grant of power is without any definition of governing standards, any policy guide, or any limitation of any kind. Apparently this may ratify or authorize ratification of existing contracts. The Federal Power Commission has not indicated any position as to the terms of the contracts heretofore entered into. (Hearings, pt. II, p. 1133.)

We should take the opportunity now to make clear the intent of Congress in originally enacting this section if the plain wording and legislative history of the amendment leave any doubt on that score. We regret that the committee majority has voted down clarifying language and has refused to adopt a motion disapproving the transaction in question. Our responsibility and obligation in this regard are all the greater, since we are asking the Congress to add prerogatives in this bill to the Committee's already important jurisdiction and status.

7. LIMITING AEC POWER PRODUCTION

A remarkable series of incongruities show up with regard to the power position of the Atomic Energy Commission.

The determination to cast the Commission in the role of "power broker" under the proposed new contract would commit that agency to continuing responsibilities for a 25-year period in a field which is external to the Commission's own concerns and power needs.

This contractual arrangement would bring the AEC into the conventional power business as an additional Government agency and tie it to TVA's future power activities despite the professed intention of that agency and the present administration to limit the role of Government in business.

The AEC already has entered into two long-term contracts, and is about to become involved in a third, for the supply of electrical energy from conventional private sources for the next quarter century, even while freely predicting that electrical energy from atomic sources will be available in the next decade.

Most incongruous of all, the AEC wants to stay out of the atomic-power business, a field in which it might be expected to have a legitimate and continuing function.

The Atomic Energy Commission is the largest single consumer of electricity in the world. When presently authorized facilities are completed, the Commission will be utilizing capacity on the order of 5 million kilowatts, exceeding the combined capacity of the New England States. Its consumption of electrical energy in the near future may reach 8 or 10 percent of the Nation's total.

In view of its enormous power needs, which will come to represent an outlay of $150 million to $200 million a year, one would expect the AEC to show initiative and enterprise in adapting its own facilities to supply a substantial portion of these needs rather than to waste the heat energy created by nuclear fission. The framers of the McMahon Act contemplated use of atomic power by AEC as well as the transfer or sale of such power to others when they provided in section 7 (d) of the act:

> Byproduct power: If energy which may be utilized is produced in the production of fissionable material, such energy may be used by the Commission, transferred to other Government agencies, or sold to public or private utilities under contracts providing for reasonable resale prices.

Back in 1946, when this section was written, the atomic-energy program was centered primarily upon the development and production of atomic weapons. Atomic power was still a remote possibility and the section pertaining to its production was embryonic. Now that we stand on the threshold of the atomic-power era and consider legislation designed to usher it in, singular, indeed, is the fact that the new legislation does not enlarge upon the embryo, so far as AEC production of atomic power is concerned.

Section 7 (d) of the McMahon Act is now section 44 of H. R. 9757, dignified only by having a whole section number to itself, and containing a few minor word changes, but still an incidental item tucked away in a corner of the bill instead of becoming a full-fledged set of provisions to launch a positive program of Federal development in the atomic-power field. If anything, the language in the new bill is more restrictive than in the existing act.

The Federal Power Commission, in an extended analysis of the proposed atomic energy legislation, criticizes, among other things, the paucity of legislative standards with respect to section 44. It points out that the sale of byproduct power is not a new problem and calls attention to the series of acts in which the Congress has provided detailed and explicit standards governing the disposition of electric power from projects involving the development of irrigation, water conservation, flood control, and navigation improvement projects. The Federal Power Commission then remarks:

> Corresponding enunciation of policy in the sale of byproduct power from Government atomic energy installations may present some new or different problems, but the precedents cited are sufficient to suggest that the Congress has been jealous to enunciate the policy to be effectuated by the agency marketing the power and has not been willing to leave the responsibility for policy to the agency. (Hearings, pt. II, p. 1132.)

One of the long-established Federal policies to which the Federal Power Commission adverted is the according of preference to municipal, cooperative, or other public bodies in the sale of federally generated power. Section 44, covering the marketing by the Atomic Energy Commission of surplus energy from its own nuclear operations, contains no such preference. This is in conflict with the policy established by every law governing the marketing of federally generated power within the last 50 years. The section should be amended to accord with established Federal power policy.

The Atomic Energy Commission, whether for lack of a positive congressional mandate or because of preoccupation with atomic weapons, has never been a power-minded agency. It has steadily backed away from any concept of Government responsibility for the production of atomic power. It regards the atomic power authorization in section 7 (d) of the McMahon Act as incidental and unlikely to be productive of any important achievements. Chairman Strauss describes the AEC's planned power reactor program for the next few years as a minimum program by choice. The future power role conceived for this agency by the present administration is a narrow and declining one. President Eisenhower said in his message to the Congress on February 17, 1954:

> The creation of opportunities for broadened industrial participation may permit the Government to reduce its own reactor research and development after private industrial activity is well established. For the

present, in addition to contributing toward the advancement of power-reactor technology, the Government will continue to speed progress in the related technology of military propulsion reactors.

A draft of proposed legislation accompanying the President's message contains this language:

> Nothing in this act shall be construed to authorize the Commission to engage in the sale or distribution of electrical energy for commercial use except such energy as may be produced by the Commission incident to the operation or research and development facilities or facilities for the production of fissionable material.

That proposed restriction was incorporated in an earlier version of H. R. 9757, but the sponsors were persuaded finally to strike it out. The majority report on the bill, however, construes the restriction to be still applicable to section 44. It states in this regard—page 15:

> This section will permit the Commission to dispose of that utilizable energy it produces in the course of its own operations, but does not permit the Commission to enter into the power producing business without further congressional authorization to construct or operate such commercial facilities.

We fail to see why the Commission should be enjoined from producing atomic power for commercial use when it would be given broad authority to license others for such production. If the Nation is to realize the maximum power benefits from its investment in this new resource, a positive program of atomic power production by the Federal Government is essential. The history of electrical power development in this country affords ample evidence that a reasonable balance between public and private power serves as the most important check on monopoly control in the vital field of energy resources. The very magnitude of economically feasible nuclear powerplants persuades us to believe that the balance will be thrown heavily in favor of private monopoly unless provision is made for Federal development of atomic power, particularly where supply is desired by public or cooperative systems.

The committee members are convinced, for security and perhaps other reasons, and have affirmed in the pending bill, that the special material which produces nuclear energy should remain the property of the United States. Another finding in section 2 of the bill is that "In permitting the property of the United States to be used by others, such use must be regulated in the national interest." It is judicially established beyond question in our constitutional system that what the United States owns and permits others to use, it may use itself and dispose in any manner the Congress sees fit, including the transformation of owned resources into electrical energy and the transmission of such energy to market. Private companies engaged in similar and competing enterprises have no vested right to be free from Federal Government competition—*Ashwander* v. *Tennessee Valley Authority* (297 U. S. 288); *Tennessee Power Co.* v. *Tennessee Valley Authority* (306 U. S. 118).

8. INADEQUATE POWER-LICENSING PROVISIONS

H. R. 9757 not only fails to mark out a clear and constructive program for Federal production of atomic power; it is altogether deficient in the matter of safeguards to protect the public interest in the licensing of non-Federal agencies to produce and sell atomic power.

As noted above, the nuclear-energy resource itself will remain the property of the Federal Government. Thus, in terms of the public interest, the use of nuclear energy and the use of the energy in the falling water of streams should be subject to the same safeguards established by law.

These safeguards involve far more than the bare assurance that the electricity generated from the resource shall be subject to the ordinary processes of utility regulation. They are based on the principles that a public resource must be conserved and developed for the best possible use, that it must be always kept open for public use if the people so decide, and that whatever States may do or fail to do about it, the use must always be directed at providing electricity at the lowest possible rates through preventing private capitalization of the value inherent in the right to use a public resource.

The very fact that there are still six States which have set up no State agency to regulate the rates charged by privately owned electric utilities reveals the extraordinary importance of these public resource safeguards, and the necessity for their incorporation in any legislation designed to facilitate the use of atomic energy as a source of commercial power. These safeguards for the right of the people to get the full value out of their resources, without any toll being taken above what is necessary to assure the funds required for development, have already been formulated in detail by Congress in the Federal Power Act which prescribes how hydroelectric resources may be used. They include:

First. Safeguard for the prior right of Federal development of the resource in any specific case where this will best serve the public interest.

Second. Safeguard for the prior right of public bodies and cooperatives, as against a private applicant for a license for any specific development of the resource.

Third. Safeguards for the right to public hearing in connection with any application, with specific provision for admission of interested States, State commissions, municipalities, representatives of interested consumers or competitors as parties.

Fourth. Safeguards for the right of Federal or other public recapture of any development by a private licensee at the end of the license period on payment of no more than the licensee's net investment in the project.

Fifth. Safeguards for reasonable rates to consumers by provision requiring licensees as a condition of any license to agree to Federal regulation where States have provided no regulation of electric rates, with further provision that in any rate proceeding the licensee can claim no more than net investment in the development for rate base purposes.

Sixth. Safeguards for the preferred position of public and cooperative electric systems to obtain power supply from Federal development of the resource.

The bill, as reported, is wholly lacking in such safeguards. It would enable the Atomic Energy Commission to turn this greatest energy resource over to private power monopoly under licenses unconditioned except for the requirements of national security and public health and safety. Aside from section 271, providing that nothing in this act shall affect the authority or regulations of Federal, State, and local regulatory agencies, it is barren of any recognition of the public interest in securing electric energy from this new resource at the lowest possible rates. Experience has shown clearly that such regulatory authority is entirely inadequate to protect the public interest in electric power developed from public resources, unless supplemented by specific standards governing licenses and the availability of public or cooperative competition in the distribution of electric energy.

The bill includes no provision to encourage public or cooperative distribution of nuclear power. Furthermore, it includes no provisions assuring that privately owned electric utilities producing nuclear electric energy under license from the Commission shall sell the power at the lowest possible rates consonant with sound business practices.

The following comments on specific licensing features of the bill indicate what we consider essential requirements for protection of the public interest in the use of this new public resource for the generation of commercial electric power.

Section 103 (b), establishing the minimum qualifications for applicants for commercial licenses to construct, own, and operate facilities for the utilization and production of special nuclear material or atomic energy, contains no provisions requiring agreement by the applicant, where the end result is generation of electric energy for sale, to claim no more than net investment in such facilities for rate-making purposes. Such a limitation is placed upon all licensees for use of the people's waterpower resources under the Federal Power Act. This section of the bill should be amended to bring it in line with established Federal power policy.

Section 103 (c), providing for a limitation on the term of commercial licenses issued by the Commission for the ownership and operation of facilities for the utilization and production of special nuclear material or atomic energy, contains no provision for the right of the United States, after reasonable notice, to take over, maintain, and operate such facilities at the end of the license period on payment to the licensee of its net investment, plus severance damages, if any. All private hydroelectric power developments, licensed under the Federal Power Act, are subject to such a provision. This section should be amended to bring it in line with established Federal power policy.

Section 182 (b), providing for due notice to the public before the issuance of any license for utilization or production facilities which generate commercial power is lacking as to both breadth of notice required and provision of specific procedures in connection with license applications to assure full protection of the rights of interested parties. It also lacks specific recognition of those interests whose rights may be affected by Commission action or whose participation may be in the public interest.

To cure these deficiencies, where generation of nuclear-electric power is the primary purpose involved, we believe the section should be amended to provide that notice of applications shall also be sent to municipalities, and to public and cooperative electric systems within transmission distance; that, in case of protests, conflicting applications, or proposals for special conditions, interested parties shall be accorded opportunity for intervention, hearing, petition for rehearing, and appeal, in general accord with the procedures now prevailing under Federal power legislation; and that the Commission may admit as parties interested States, State commissions, municipalities, public and cooperative electric systems, or representatives of interested consumers or security holders, or any competitor of a party to such proceedings, or any other person whose participation may be in the public interest.

Section 182 (c), providing for preferred consideration to applications for facilities which will be located in high-cost power areas in the United States, lacks a similar provision which has been the policy of the Government since the Federal Power Act became law in 1920, according preferred consideration to public bodies where their applications conflict with those of privately owned systems. We believe this lack should be overcome to bring the section into line with established Federal power policy.

Section 183, providing specific terms which must be included in licenses for the ownership and operation of facilities for the utilization or production of special nuclear material or atomic energy, is completely lacking in provision for Federal accounting control of licensees where such licenses are not also engaged in the transmission of electricity or sale of electricity in interstate commerce for resale. Such accounting control should be vested in the Federal Power Commission which is responsible for such regulation over licensees for hydroelectric power developments, and is provided for, with enforcement authority, in sections 301, 302, 304, and 306 of the Federal Power Act. We believe that the bill should be amended to make these sections applicable to licensees for atomic power development.

Section 185, providing for the issuance of construction permits to applicants whose applications are otherwise satisfactory to the Commission, should be specifically subject to the same procedural safeguards, assuring interested parties full opportunity for notice, hearing, and appeal before issuance, as are provided in connection with the issuance of licenses under section 182. We believe that the section should be amended to make the same procedure specified in section 182 mandatory before construction permits are issued.

The parallels between electrical energy from nuclear and hydropower sources were called to the attention of the committee in earlier hearings during the summer of 1953 by a member of the Federal Power Commission and again during the present hearings by Chairman Kuykendall of the Federal Power Commission, who supplied a detailed analysis of pending atomic energy legislation. This material will be found in part II of the committee's recent hearings at pages 1124 through 1133.

In view of the Federal proprietary interest and congressional authority in the field of atomic energy, the Federal Power Commission observes:

> It becomes pertinent to test any legislative proposals with respect to non-Federal development of atomic energy to see whether the public interest in atomic energy is protected and benefited as adequately as the Congress of an earlier generation sought to do for the Nation's interest in waterpower (p. 1128).

The Federal Power Commission observes further that:

> * * * The grant of the (license) privilege should depend not solely on the negative consideration that national defense will not be harmed, but on the affirmative ground of benefit to the public interest in electric power and other products of the operation of nuclear reactors as well (ibid.).

Unfortunately, the present bill, reflects nothing of this advice from the Nation's outstanding independent power agency, but relies mainly on negative considerations in licensing. The analysis of the Federal Power Commission is sufficient to indicate that the bill is still complete, so far as it comes within the scope of power policy.

9. NEED FOR A DIVISION OF CIVILIAN POWER APPLICATION

Our concern goes not alone to the omission of public interest safeguards in power licensing. If the use of nuclear energy as a source of commercial electric power is to be accorded the consideration which its importance warrants, this should be reflected in the statutory organization of the Commission. It cannot be left wholly to the discretion of the Commission which may be at any given time, and is now, weighted in favor of playing down the Government responsibilities in this field.

Specifically, we believe there should be a statutory Division of Civilian Power Application, counterbalancing the statutory Division of Military Application, with positive responsibility for the commercial development of nuclear electric power by Federal or non-Federal public and private agencies.

There should also be an Electric Power Liaison Committee, corresponding with the Military Liaison Committee, with provision for full cooperation between the Atomic Energy Commission and those Federal agencies responsibile for carrying out other phases of Federal power policy. This would provide a basis, now lacking in the bill, for Federal construction and operation of nuclear powerplants where required in connection with Federal regional programs.

The Electric Power Liaison Committee might well be composed of one representative each of the Federal Power Commission, the Securities and Exchange Commission, the Rural Electrification Administration, the Tennessee Valley Authority, The Bureau of Reclamation, the Bonneville Power Administration, the Southwest Power Administration, the Southeast Power Administration, and the Corps of Engineers, with an independent chairman appointed by the President, by and with the consent of the Senate, serving at the pleasure of the President.

This committee would advise with the Atomic Energy Commission in connection with all activities directed at the development of power from nuclear energy with a view to assuring its maximum contribution to the general welfare. Such advice would include assistance in the formulation of standards as specific problems arise. But dependence on ad hoc decisions alone for the determination of standards affecting the economics of atomic power development and use would be unsatisfactory in the extreme. It is for this reason that we favor amendments which would authorize and direct the Division of Civilian Power Application and the Federal Power Commission, in their respective spheres, to apply substantially the same public interest safeguards in connection with the licensing of atomic powerplants as are applied in licensing hydroelectric developments under the Federal Power Act.

The Nation's interest in ample supplies of low-cost electric power to meet the requirements of an expanding economy is great. It reaches into every farm home and commercial or industrial establishment. It makes the difference between vigorous and retarded regional development. It is a vital factor in the economical operation of farms. It contributes to continually rising living standards. All this has been emphasized in many official reports, including that of the President's Materials Policy Commission, which made an exhaustive analysis of the future requirements of our civilization.

The quality of the legislation which opens the atomic-energy resource to development as a part of the country's total energy economy will have a profound effect on the attainment of these goals. We are convinced that enactment of the present bill without mature consideration of the changes which we propose would be a disservice to the people of the United States. No delay required to perfect the bill to meet the requirements of the general welfare could result in a minute fraction of the losses that would inevitably follow an ill-considered transfer of atomic-power development to private monopoly.

10. PASSING THE BUCK ON MONOPOLY PREVENTION

The fact that electrical utilities are more or less natural monopolies in the areas they serve makes it unlikely that

the antitrust provisions in section 105 of the bill will have any important bearing on the licensing of utilities for atomic power production and distribution. Indeed that section empowers the Atomic Energy Commission, with the approval of the Attorney General, to exempt such classes or types of licenses as it may determine would not significantly affect the licensee's activities under the antitrust laws.

With regard to the provisions of section 105 generally, we believe it is a mistake to relieve the Commission of the affirmative responsibility contained in the McMahon Act, and deleted in this bill, to exercise its licensing authority in a manner to prevent the growth of monopoly or restraint of trade. Section 7 (c) of the McMahon Act reads in part:

Where activities under any license might serve to maintain or to foster the growth of monopoly, restraint of trade, unlawful competition, or other trade position inimical to the entry of new, freely competitive enterprises in the field, the Commission is authorized and directed to refuse to issue such license or to establish such conditions to prevent these results as the Commission, in consultation with the Attorney General, may determine. The Commission shall report promptly to the Attorney General any information it may have with respect to any utilization of fissionable material or atomic energy which appears to have these results.

Section 105a of H. R. 9757 would permit the Commission to suspend or revoke a license only after a court of competent jurisdiction has found a licensee to be guilty of violating the antitrust laws. It seems to us that here the Commission locks the barn after the horse is stolen. In a new, developing field of industrial endeavor, resort to the cumbersome and protracted procedures, sometimes extending over many years, which eventuate in final adjudication of antitrust violations, can have little effect in assuring the maintenance of free competitive enterprise.

Section 105c of the bill does add a procedure whereby some preventive action can be taken against monopoly or restraint of trade. It is left to the Attorney General or the Federal Trade Commission to determine whether "the proposed license would tend to create or maintain a situation inconsistent with the antitrust laws." In the event of such a determination, the applicant is permitted to file a petition with the Federal Trade Commission for a hearing, and if the Commission finds adversely, the applicant would have recourse to the courts.

We are uncertain as to the legal effect of a court finding which would put an applicant in a position "inconsistent with the antitrust laws" without necessarily being guilty of violating the antitrust laws. In any event, we see little validity in the arguments which led the sponsors of the bill to relieve the Atomic Energy Commission of the affirmative responsibility cited above.

A review of Federal statutes demonstrates rather convincingly that many departments and agencies of the Federal Government are charged by law with such positive responsibility and authority to prevent or discourage monopoly or other restraints of trade, or to actively promote competition and participation by small business, in various fields of endeavor. It is specious reasoning, in our opinion, to say that the Atomic Energy Commission, as the agency charged with the administration of the atomic energy program, should pass wholly on to others the responsibility for taking steps to insure equality of opportunity by all businesses, large and small, to participate in that program and to share the privileges and benefits arising from it.

11. LIMITING ACCESS TO PATENTS

Intimately tied up with the crucial issues of monopoly or competition in the atomic-energy field is the extent to which private patents are authorized and others have access to the patented inventions or discoveries.

The patent question is one of the most controversial in the atomic-energy field. It arose in the very beginning, when the drafters of the McMahon Act decided to make an outright ban on patents for inventions or discoveries which concerned the production of fissionable material or the utilization of such material in atomic weapons. In the nonmilitary field patents could be granted, but were subject to a public-interest declaration under stated conditions, in which case the Atomic Energy Commission and its licensees automatically were entitled to their use, with reasonable compensation to the owner. This constituted a form of compulsory patent licensing.

Since the licensing provisions of the McMahon Act were never utilized, and the Commission acquired practically all of its patents through arrangements with its contractors, who were operating with public funds, the public-interest provision remained a dead letter. It is this feature which H. R. 9757 adopts with modifications, broadening the permissible area of private patenting and authorizing others to have access to the patented inventions or discoveries under certain conditions.

An earlier version of the pending bill proposed to remove the ban on patents in the production of special—fissionable—material, whether for industrial or weapons uses, leaving only the patent ban on utilization of special material in an atomic weapon. The provision for public-interest declarations also was eliminated, in effect opening up the whole nonmilitary atomic-energy field—and part of the military—for private patenting without any obligation to license others in the use of the patented inventions or discoveries.

We commend the committee majority for withdrawing those earlier provisions and for recognizing in the report—page 9—that the dangers of restrictive patent practices are present because few firms may be involved in the atomic-energy program for the immediate future. The fact that a few large industrial corporations, as contractors to the Atomic Energy Commission, have acquired an overwhelming head start on would-be competitors by virtue of technical know-how acquired on the inside is enough to warrant the utmost care on the part of the Congress in legislating patent privileges.

The committee has reverted substantially to the position taken by President Eisenhower when he said in his message of February 17, 1954, to Congress:

Until industrial participation in the utilization of atomic energy acquires a broader base, considerations of fairness require some mechanism to assure that the limited number of companies, which as Government contractors now have access to the program, cannot build a patent monopoly which would exclude others desiring to enter the field. I hope that participation in the development of atomic power will have broadened sufficiently in the next 5 years to remove the need for such provisions.

While we believe that the President's proposal for compulsory patent licensing is necessary until such time as interested industrial concerns are on a more equal footing in their acquisition of skills and experience in atomic technology, we believe both the President and the sponsors of this bill are unduly optimistic in the hope that a period of 5 years will suffice to reach that stage. It will take at least 5 years to construct a sufficient number of reactors for making comparative evaluations of performance, and it will take at least 5 years more to accumulate the economic and engineering data for these evaluations.

The Congress would be better advised, as an able patent attorney and former deputy general counsel of the Atomic Energy Commission testified before the committee, to strike the September 1, 1959, termination date and leave open the time for legislative removal of compulsory licensing. The Congress could then enact the necessary legislation at such time as a broadened industrial base for atomic energy became evident. At the very minimum the period of compulsory patent licensing should extend for 10 years.

The question next arises whether the language of the bill is designed to make effective the compulsory licensing of patents or whether it is designed to make this process difficult and unusual. Although it is not easy to judge the effect of the prolix and unduly cumbersome provisions in this regard, we are inclined to the conclusion that the compulsory licensing provision is an extremely limited guaranty of accessibility to patented inventions.

Perhaps the simplest way to establish compulsory licensing would have been to carry over the provision in section 11 (c) (2) of the McMahon Act which provides that whenever any patent is declared by the Atomic Energy Commission to be affected with the public interest, not only is the Commission automatically licensed to use the invention or discovery covered by the patent—a provision retained in the present bill—but any person licensed by the Commission automatically is licensed to use the invention or discovery covered by the patent.

Under section 152 of the pending bill, whenever a patent has been declared affected with the public interest, the Commission automatically is licensed to use the invention or discovery covered by such patent, but another person desiring to use the patented invention

or discovery must apply to the Commission for a patent license, which shall be granted to the extent that the Commission finds that the invention or discovery is of primary importance to the conduct of an activity by such person authorized under the act.

In other words, the initiative and the burden of proof now would lie with the applicant who must demonstrate to the satisfaction of the Commission that the use of the invention or discovery is of primary importance to his business. The limiting aspect of this requirement was brought to the attention of the committee in earlier hearings by Caspar Ooms, a patent attorney, formerly United States Patent Commisioner and chairman of the AEC Patent Compensation Board. Mr. Ooms, who suggested patent revisions in the McMahon Act very similar to those now embodied in H. R. 9757, testified before the committee last July; pages 458–459, that by eliminating the automatic licensing feature of the McMahon Act even though a patent is declared affected with a public interest:

> Each applicant for a license must demonstrate separately that the license is necessary to effectuate the policies and purposes of the act. This restriction is maintained to make the invocation of this licensing power an exception and an infrequently used device. It is intended to guard against the fear that the inventor who is willing to devote his resources to making developments in this field would be compelled to share his contributions with his competitors and to insure that he will be required to give licenses only in the extreme and infrequent situation where that is necessary to accomplish the designs of this legislation.

Before a patent reaches the stage of being declared affected with the public interest, several other conditions are interposed by H. R. 9757. In the first place the patent owner is entitled to a hearing before such declaration. Presumably he could present arguments why the patent should be withheld from the public interest sphere, and if overruled, could appeal to the courts under the Administrative Procedure Act, as provided in section 181. Court action, conceivably, could consume a goodly portion of the 5-year period in which the compulsory licensing requirement obtains.

Secondly, declaring a patent "to be affected with the public interest" would be optional or discretionary with the Atomic Energy Commission, whereas under the McMahon Act the declaration is mandatory provided two conditions are met. The pertinent provision of the McMahon Act follows:

> (1) It shall be the duty of the Commission to declare any patent to be affected with the public interest if (A) the invention or discovery covered by the patent utilizes or is essential in the utilization of fissionable material or atomic energy; and (B) the licensing of such invention or discovery under this subsection is necessary to effectuate the policies and purposes of this act.

In contrast, section 152a of the pending bill provides:

> The Commission may, after giving the patent owner an opportunity for a hearing, declare any patent to be affected with the public interest if: (1) the invention or discovery covered by the patent is of primary importance in the production or utilization of special nuclear material or atomic energy; and (2) the licensing of such invention or discovery under this section is of primary importance to effectuate the policies and purposes of this act.

It will be noted that under the present bill the concept of "primary importance" applies to two conditions, whereas in the McMahon Act the mere fact of utilizing fissionable material or atomic energy satisfies one of the conditions. Under the present bill, conceivably, the Atomic Energy Commission could decide that an invention or discovery is of primary importance in the atomic-energy field but is not of primary importance to effectuate the purposes of the act. "Primary importance" is a strong phrase, and its strength is doubled in section 152a of the bill. We can conceive that many inventions or discoveries would not meet the double-strength criterion and yet be important.

Furthermore, it must be borne in mind that what may be of primary importance to the small business may not be of primary importance to the Atomic Energy Commission or to the atomic-energy field generally.

If the "public interest" feature of the patent survives the objection of the owner and the hearing procedure, and meets the double test of primary importance under section 152a, then a person may apply for a license under 152b, which requires still a third test of primary importance.

In the event the Commission fails to make a "public interest" declaration, prospective or actual licensees or persons otherwise authorized may apply to the Commission under section 152c for a patent license for the use of a patented invention or discovery. The Commission then undertakes to hold a hearing within 60 days—section 152d—and must issue the license—section 152e—if it finds that the invention or discovery meets three tests of "primary importance" and an additional condition.

The application that can survive this procedure will be an impressive one indeed. The patent attorneys may derive more satisfaction from section 152 than the would-be user of the invention.

In issuing a patent license under section 152e, the "primary importance" of which is triple-tested, still the Commission itself would not be automatically licensed to use the invention or discovery. We believe the same privilege of automatic licensing for Commission use should apply here as in the case of "public interest" patents under section 152b.

In the event the Commission turns down a patent license application for failing to meet the three primary importance criteria under sections 152a and 152b, it is unlikely that a license application for the same invention or discovery under section 152c would ever come within reach of meeting the three primary importance criteria of section 152e. The unlikelihood is the more apparent in case two or more applicants desire the use of the same patented invention, for the Commission would then be faced with the dubious proposition under section 152e (3) that the use by each is "of primary importance to the furtherance of policies and purposes of this act."

In connection with research, we note a serious omission in the patent sections of H. R. 9757. The provision contained in section 11 (b) of the McMahon Act and carried over to an earlier version of the pending bill, which prohibited any patent rights with respect to any invention or discovery to the extent used in research and development activities in the atomic-energy program, has been deleted.

Failure to enact this provision undoubtedly would be a deterrent to research. It would appear that those desiring to utilize patented inventions or discoveries in research would have to go through the cumbersome procedures of applying for a patent license under section 152 c, d, e, f, and g. The elimination of this patent ban in research, for reasons which are not clear to us, is contrary to the recommendations of the Atomic Energy Commission. We believe the provisions should be reinstated.

Other questionable features in the patent sections we note as follows:

While patents are banned in the case of inventions or discoveries useful solely in the utilization of special nuclear material or atomic energy in an atomic weapon, they are not banned in the production of such material. Since special nuclear material can be utilized both for weapons and nonweapons, apparently a producer of such material could get a patent on basic production processes whether the material is used for weapons or not. We do not believe that the area of patentability should extend to inventions or discoveries that affect the weapons field.

Although drastic penalties are provided for violations of certain provisions in the bill, no penalty is provided for failing to report inventions or discoveries under section 151c, which could involve matters of strategic significance to the atomic-energy program.

The Patent Compensation Advisory Board, created under section 156a, being advisory only, apparently could not be delegated authority to make final decisions, as under the McMahon Act, in the event the Commission found itself bogged down with matters of compensation, awards, and royalties to the detriment of major responsibilities.

12. BUILT-IN SUBSIDY FEATURE

Section 2h of the bill makes this finding:

> It is essential to the common defense and security of the United States that title to all special nuclear material be in the United States while such special nuclear material is within the United States.

Accepting as fundamental to the legislation this finding, which is implemented in section 52 and other sections of the bill, nevertheless we wish to point out some of its implications for the development of atomic-energy enterprise.

What this bill proposes in effect is to relinquish the Federal Government's exclusive ownership rights in the facilities which produce or use nuclear material but to retain its exclusive ownership rights in the material itself. As a consequence, the incidents of private and

public ownership are intermingled in such a way that not only may vexatious problems of administration and accounting control arise, but the private companies licensed for a maximum period of 40 years to own and operate production facilities—atomic reactors—legally can depend on the Government to compensate them adequately for whatever they produce during the life of the license. This constitutes a built-in subsidy for licensed atomic enterprise until about the year 2000 A. D. The subsidy implications have been recognized and objected to by industrial spokesmen appearing before our joint committee.

Since the Government, under the bill, owns any nuclear material which now or may hereafter be produced in privately owned plants, it cannot refuse to take and pay for what is produced. If the Government pays less than the cost of production in a given plant, the action would, in effect, be confiscatory. Therefore, the provision in section 56 of the bill that the Atomic Energy Commission shall pay the same fair price to all licensed producers of the same material means that the highest cost and least efficient producer will set the pace on price schedules.

The fact that the Commission is obligated by the same section to consider the value of the material for official Government use in determining a fair price, constitutes no ground for paying less than it costs to produce the material. Conceivably, by some happy turn of international events, the Government's requirements of material for atomic weapons could be drastically reduced; and new dicoveries of source materials or greatly improved processes of production in the Government's own plants could yield a surplusage of material, reducing its value to the Government to virtually nothing. Still the Government would have to take the material it owns off the hands of private producers at a price fair to them for the 40 years during which they may be licensed to do business.

Even though the Commission can establish guaranteed fair prices for only 7 years at a time, as provided in section 56, the Commission is not thereby relieved of the obligation to pay fair prices throughout the life of the license.

If the Commission, to forestall the possibility that it may be saddled in the future with huge amounts of nuclear material it does not need or want, insists on writing into licenses under section 53e or section 183 a cancellation provision against such contingencies, or issues licenses for a much shorter period than 40 years, it is obvious that few firms would be persuaded to enter the field under such uncertainties.

Again, to forestall such conditions, the Commission might easily persuade itself to grant licenses to only a handful of the largest or most efficient producers, thereby denying wide access to competing industrial firms or other interested sectors of industry.

The intertwined complexities implicit in the obligation to compensate producers for the material automatically owned by the Government and to charge licensed users for such material, create further subsidy possibilities.

Section 53 deals with the Commission as a distributor of special nuclear material to qualified applicants, including licensees under section 103; while sections 52 and 56 deal with the Commission as a purchaser of special nuclear material from licensed producers who produce such material in the burning of the nuclear fuel secured from the Commission. In the first instance, the Commission is authorized to make a reasonable charge; in the second, to pay a fair price. But the vague generalities set up in lieu of standards to guide the Commission in determining both these critical figures leaves a degree of discretion in the administrative body that would enable it to pay considerably more for the production than it charged for the original supply of special nuclear material, thus affording private utilities, let us say, subsidies of undetermined magnitude for their participation in the development of nuclear power. Such subsidies resulting from dual transactions might well escape the public eye.

The Federal Power Commission analysis submitted by Chairman Kuykendall, in pointing out the lack of legislative standards and the subsidy possibilities for electric utilities in the sections discussed immediately above, added this note:

> If subsidies are to be permitted, consideration should be given to the question of the desirability of provisions for passing the benefits of such subsidies on to the public. (Hearings, pt. II, p. 1131.)

The legal ramifications of the intermingled incidents of public and private ownership in nuclear-producing facilities have not been explored by the committee. We venture to suggest that private firms, including utilities, may very well find themselves subject to a variety of Federal statutes affecting Government business in private plants, including the Walsh-Healey Act and other labor standards laws, inasmuch as the nuclear material used in their operations will be Government property.

13. OMISSION OF LABOR-MANAGEMENT PROVISIONS

Labor strikes at the Oak Ridge and Paducah plants of the Atomic Energy Commission at the very time when comprehensive legislation to revise the Atomic Energy Act is before the Congress, serves to highlight an area of legislative concern which the sponsors of H. R. 9757 have completely ignored.

Chronic discontent and frequent strife are attributes of employment in atomic occupations. The labor unions in these occupations believe they are unduly handicapped by the use of secrecy and security as a weapon of management to bludgeon their members into submission and to distort or nullify the procedures of collective bargaining. Many union representatives believe, too, that the Atomic Energy Commission has been completely oriented to the management side in labor disputes.

Whether or not legislative provisions can be written to alleviate the persistent sore spots in atomic labor-management relations, certainly the legislation can at least provide for more effective labor-management representation in the councils of the Atomic Energy Commission. The American Federation of Labor representative who testified before our committee on two separate occasions, has voiced the federation's belief that steps toward this end would have a salutary effect. He also observed—hearings, part I, page 278:

> It is worth noting that the membership of the Atomic Energy Commission and other top jobs in that agency have been filled by individuals drawn from the legal profession, Government, business, and finance. Corporation lawyers, investment bankers, Government bureaucrats would seem to be blessed in some mysterious manner with a genius for administering atomic-energy affairs that has been denied to trade-union leaders and officials. We believe that in the ranks of organized labor there are many able and public-spirited administrators who could bring a fresh view to the Atomic Energy Commission and its work and perform a very useful service.

Although the legislation cannot dictate whom the President should appoint to the Commission, at least it can provide for a labor-management advisory committee, coordinate with other advisory committees provided in the bill. Such a committee might well be composed of equal numbers of management and labor representatives, with a public chairman appointed by the President, by and with the consent of the Senate, and serving at the pleasure of the President.

The fields of interest and attention on the part of the labor-management advisory committee would encompass more than assistance in promoting healthier attitudes toward collective bargaining problems in an area hedged in by difficult security requirements.

The whole difficult area of personnel security, which would involve, under this bill, investigations by the Civil Service Commission and the FBI of the character, associations, and loyalty of privately employed persons having access to restricted data, might well come under the continued scrutiny of the labor-management advisory committee.

Assistance could be provided in the application of safety standards, adequate workman's compensation provisions, and other protective measures in licenses for new and hazardous atomic occupations.

Studies and preparatory steps could be undertaken to minimize the impact of atomic enterprises in industries or areas whose populations depend on competing activities for a livelihood. The economic distress of the coal-mining industry, for example, might become even worse by the substitution of atomic fuel for coal in generating electrical power.

The framers of the McMahon Act had such eventualities in mind when they wrote a requirement for the 7 (b) report discussed above. The special Senate Committee on Atomic Energy reported in 1946—79th Congress, 2d session, Senate Report No. 1211, page 20:

> The committee is aware, nonetheless, that the sudden introduction of certain devices utilizing the power released by nuclear fission might precipitate profound economic

disorganization. Great industrial installations representing nationwide investments, employing many thousands of workers, might be rendered obsolete.

14. COMPLICATING INTERNATIONAL ARRANGEMENTS

We stated at the outset our conviction that international matters relating to atomic energy would be better treated in legislation separate from that which seeks to open the atomic field to domestic private enterprise and profit-making opportunities. Our dependence on foreign sources of uranium, our mutual defense requirements, our moral and economic obligations to assist less privileged nations, our never-ending search for world peace—all these would seem to pose problems of an order and magnitude that press more urgently for solution than how to make a profit from the atom.

Some years ago our Government outlined a plan for the international control of atomic weapons. The plan embraced procedures, carefully drawn, to provide for the gradual transfer of our atomic facilities to international control without endangering national security. It was conceived that the international atomic authority would maintain an inspection system to make sure that no nation would deviate from the control arrangements for aggressive ends.

The Soviets would have no part of this plan. In those days, especially before they had atomic weapons, they insisted that such weapons be banned outright by treaty rather than put under the control of an international authority. Nor did they take kindly to the idea of inspectors coming behind the Iron Curtain. In the face of persistent and stubborn refusal by Soviet Russia to consider a control agency, our plan became dormant.

But the United States has never abandoned as a stated policy its willingness to participate in a really effective program of atomic armament control. The goal may be too remote for achievement in our time, but certainly we should do nothing to throw obstacles in the way of that achievement. Whether the creation of vested ownership rights in atomic facilities by private persons will narrow our opportunities to negotiate in matters which may determine the life or death of civilized society is a question deserving of our most earnest consideration.

When President Eisenhower proposed in an address to the United Nations General Assembly the creation of an international agency to develop peacetime uses of atomic energy, new hope was kindled among peoples everywhere that somehow this might be a vehicle for promoting world peace. Even the Soviets did not dare to ignore the compelling force of this appeal for cooperative peaceful endeavor.

Reportedly, our Secretary of State entered into preliminary discussions with the Soviets on the President's proposal. So far as we know, nothing productive resulted from those meetings. Although the dismal record of Soviet intransigeance leaves little to hope for, we see nothing to be gained by clothing the door entirely to possible participation by Soviet Russia in an atomic pool plan for peaceful uses.

Section 124 of the bill would seem to close that door. Whereas the President would be authorized to enter into an international arrangement with a group of nations providing for international cooperation in the nonmilitary applications of atomic energy, and to cooperate with that group in specific atomic endeavor, the proviso is entered that the cooperation must accord with the conditions presented in section 123.

Section 123 requires that agreements for cooperation cannot be undertaken until a series of conditions are fulfilled by the other nation or nations involved, including acceptable security safeguards and standards. It would be utterly unrealistic to suppose that Soviet Russia could ever comply with the security and other requirements laid down in section 123, even though the atomic pool is intended for nonmilitary uses.

The international atomic pool provision comprising section 124 seems to be a last-minute insertion to suggest that the bill is intended to implement President Eisenhower's proposal. Actually, the legislative requirements, if any, of the atomic pool proposal never have been communicated to us. President Eisenhower in his February 17 message to the Congress making recommendations for legislation to facilitate cooperation in atomic affairs with other nations, stated as follows:

> These recommendations are apart from my proposal to seek a new basis for international cooperation in the field of atomic energy as outlined in my address before the General Assembly of the United Nations last December. Consideration of additional legislation which may be needed to implement that proposal should await the development of areas of agreement as a result of our discussions with other nations. (83d Cong., 2d sess., House Doc. No. 328, p. 4.)

Not only would section 124 preclude the "new basis for international cooperation" which the President seeks; the wording of the section is confusing and self-contradictory. It would authorize the President to enter an international arrangement, which by definition in section 11k excludes any agreement for cooperation; and yet section 124 requires that an agreement for cooperation is necessary if the desired cooperation is to be exercised.

The United States might very well find itself in the position under section 124 of consummating agreements with other nations without being able to exercise the cooperation promised by the agreement unless such cooperation conformed rigidly to the formula contained in section 123.

If the contention is that the President could further the atomic pool idea by the conventional treaty route, or by an international agreement—which requires approval by both Houses of Congress under the bill—independent of section 124, then it is difficult to see what purpose the section serves, except a restrictive one.

The President has broad authority now to negotiate treaties under the Constitution. Section 124 attempts to prescribe a rigid and more restrictive formula of negotiation upon the President and his Secretary of State. The authority to negotiate treaties in our opinion should be left unfettered, subject always, of course, to Senate debate and final ratification.

No additional authority is conferred upon the President by the second method embodied in the term "international arrangement," i. e., "international agreement." The President already has the right to send to Congress any international agreement for legislative approval.

Section 124 on its face seems to authorize the President to "enter into an international arrangement with a group of nations," but the proviso requires compliance with the provisions of section 123, which provides for bilateral agreement only between the United States and an individual nation on all peacetime exchange of nuclear material or nuclear information. The reference therefore to a "group of nations" is misleading because of the proviso. Again it is restrictive and inflexible rather than helpful. It could prove to be embarrassing.

While President Eisenhower's original proposal evidently contemplated a single international atomic pool for peacetime purposes under one universal agreement, our country may be obliged, or may wish, to proceed by smaller group or regional stages, particularly in view of the Soviet Union's negative response. If the negotiations must be undertaken through a bilateral approach, then the language of section 124 which on its face indicates a multilateral agreement, again becomes ambiguous and restrictive on the President.

Section 124 appears to us a premature attempt to legislate in a delicate field where international diplomatic negotiations are pending, and it conflicts with the President's admonition in his message to the Congress that legislation to implement the atomic pool proposal "should await the development of areas of agreement as a result of our discussions with other nations."

Section 123, which sets forth a method of cooperation other than treaties or international agreements, is the principal section of the bill dealing with the authority of the President to make executive agreements on the international plane. The President cannot make any such agreement unless it is approved by the Atomic Energy Commission or in case of agreements relating to defense and military matters, by the Department of Defense. Note that the Atomic Energy Commission is an independent agency whose members serve, not at the pleasure of the President, but for a fixed statutory term.

We seriously question the subordination of the President's authority in the conduct of foreign affairs to the judgment of officials who may not be in a position to weigh the importance of countervailing risks, as is the President. In the present juncture of world affairs it cannot be assumed in case of doubt that no agreement is preferable to the only obtainable agreement, even though the obtainable agreement has not all the provisions which those charged with the technical judgments would like it to

have. In place of requiring the consent of the Atomic Energy Commission or the Department of Defense, we would prefer merely that the President, before making an agreement, be required to obtain a statement from the Commission or the Department of Defense as to the desirability and sufficiency of the agreement in respect to the matters referred to in section 123a.

Many of the provisions in section 123 as well as some of the provisions in section 144 to which we will refer seem in part to be based on the obsolete and false assumption that we have a monopoly of atomic materials and weapons, that our allies will have only what we give them and will have nothing to give in return. We know that Great Britain, for instance, has manufactured and exploded atomic bombs.

Section 144a and section 144b both carry a proviso that international cooperation shall not involve the communication of restricted data relating to the design and fabrication of atomic weapons except as to limited external characteristics. Taken in conjunction with the broad definition of "design" in section 11i, which includes drawings, blueprints, and so forth, and the development data behind the design, these restrictions ultimately may work to our own disadvantage. They hark back to the time when we had or thought we had a monopoly in this field.

While it is not suggested that there should be a free interchange of restricted data, we fear that any blanket refusal to exchange restricted data under any and all circumstances in the future might debar us from cooperation in particular projects where we might have much more to gain than to lose. Great Britain, for example, might come up with some discovery comparable in this field to the jet engine in aviation and might be debarred from working with us on it because of our own shortsighted and nonreciprocal policies.

Having in mind that a 1951 amendment which comprises section 10 (a) (3) of the McMahon Act set forth similar restrictions on communicating design and fabrication data, nevertheless we believe that new legislation must consider the changing role of atomic armament in mutual defense. An understanding of this part of the bill is important and we offer this explanation of its meaning so that each member may judge as to whether it goes too far or not far enough.

The exchange of information on weapons is limited to "external characteristics, including size, weight, and shape, yields, and effects, and systems employed in the delivery or use thereof." These areas of disclosure in the main would permit our military personnel to show our allies an atomic or thermonuclear weapon and describe these external characteristics, also the explosive power in terms of equivalent tons of TNT, the blast effect in terms of square miles destroyed, and the degree of radioactive poisoning of land, water, and air in the vicinity. It would allow disclosure of methods of bomb delivery, whether by plane, artillery device, guided missile, and so forth.

Apparently American military personnel would be permitted to train allied personnel in attaching or installing such weapons in delivery vehicles or devices—section 144b (2). But they would not be allowed to instruct our allies as to how the weapons are constructed internally, how they are assembled or disassembled, or how they are triggered for explosion.

It is obvious that we do not intend to deliver any of these weapons to any military ally for their own use, as complete knowledge of the internal working would be necessary for such use or adjustment in case the weapon failed to work just prior to release.

Therefore we must acknowledge that the bill does not implement the use of our atomic or hydrogen weapons by our allies on behalf of the defense of the free world. It does not make it possible to include such armament in the common arsenal of the North Atlantic Treaty Organization forces, except as they are retained in our sole custody.

Therefore we raise the following questions.

For what purpose do we contemplate training allied military personnel under such limitations?

Will such training be considered seriously by those who receive it?

Will the imparted knowledge of "effect" of atomic-hydrogen weapons be considered as inadequate and be used as propaganda by the enemies of America to deride our lack of faith in our allies?

The language of this bill relating to the highly important subject of foreign relations, with immediate reference to sections 123, 124, 141 and 144 is complicated, ambiguous, restrictive and potentially embarrassing to the President. It adds nothing to the President's treaty powers or the right of Congress to pass specific legislation.

In the lowest strata of "agreement for cooperation" with foreign nations, the restrictive procedures imposed would seem to be of limited assistance in the exchange or use of nuclear materials and information with our allies. Those who fear vital disclosure of security information need have but little fear. Those who hope for wider dissemination of nuclear information have but little grounds for their hope.

15. INCREASING MILITARY POSTURE

Although we do not believe H. R. 9757 departs in any fundamental way from the accepted principle of civilian control and management of the atomic energy program, we wish to take this opportunity to alert the Congress and the public to the possibilities that lie ahead.

It is generally acknowledged that atomic weapons are rapidly achieving a conventional status in military planning for national and allied defenses. Accordingly, we may expect that the military will steadily seek increasing control over the weapons phases of the atomic energy program. This is not said in criticism but only as a reminder that there are bounds which the military must not transgress if the principle of civilian control is to be maintained.

Military influence in the Atomic Energy Commission is by no means lacking and, we believe, it is more pervasive than heretofore.

Apart from the exercise of military influence within the Commission, formal organizational arrangements and procedures have been established under the McMahon Act, slightly modified in the pending bill, to administer the military application of atomic energy and to effect the proper liaison between the Commission and the Department of Defense. We believe the joint committee should have inquired into the efficacy of these arrangements in connection with the proposed revisions of the McMahon Act.

The pending bill gives new authority and responsibility to the Department of Defense in various atomic affairs.

The Department of Defense would be permitted to produce nuclear material in connection with atomic facilities operated for power and other purposes within the military programs—section 91b (2).

The Department of Defense would be authorized to manufacture, produce, or acquire atomic utilization facilities, and its contractors would be likewise authorized, without the need for a license from the Atomic Energy Commission—section 110b.

The Department of Defense would have to approve agreements for cooperation undertaken by the President, or by the Department itself at the President's direction, with other nations with respect to specified atomic matters according to the language in sections 123 and 144b. In effect, an attempt has been made to give power to the Department of Defense to check Presidential action. The grant of power is questionable on constitutional grounds, in our opinion, as the President is Commander in Chief and therefore can direct the Department of Defense in matters pertaining to national defense.

The Department of Defense would have joint authority with the Atomic Energy Commission to decide whether certain atomic data could be communicated to other nations—section 144b.

The Department of Defense has joint authority with the Commission to determine when data relating to atomic weapons may be published and what information may be removed from the restricted category in the weapons field—section 142 c and d.

Employees of the Department of Defense, members of the Armed Forces, and contractors of the Department would be authorized to have access to restricted data in certain circumstances determined by the Department of Defense—section 143.

We cite these provisions to indicate the increasing military posture of the atomic energy program.

INCREASED DISABILITY COMPENSATION FOR EX-SERVICEMEN

The SPEAKER pro tempore (Mr. CANFIELD). Under previous order of the House, the gentlewoman from Massachu-

setts [Mrs. ROGERS] is recognized for 5 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise at this time to state that there seems to have been a great deal of propaganda going on regarding the bill H. R. 9020. There was a petition to discharge the Rules Committee from its consideration, filed by the gentleman from New York [Mr. RADWAN]. I do not know the number of signatures on it now, but there were 164 on Friday, which I think is a record for a petition that had been on the desk for only 3 hours.

The propaganda is that there will be a compromise. No compromise has been agreed to. I do not know that any will be agreed to. There has been propaganda to the effect that this bill is a bonus bill. It is not a bonus bill.

The bill provides for 10 percent across the board for service-connected cases, about that for widows, orphans, and dependents, and then in the non-service-connected and the pension class there was an increase of a certain amount for certain veterans' pensions, Spanish American War widows, other widows, and other cases.

It is in no wise a bonus bill, Mr. Speaker. I emphasize that over and over again because there is a curious propaganda that has been going on against the bill, a curious propaganda that there was a compromise. I understand there were 20 Members who on Friday did not sign the petition because they thought an agreement had been reached.

It has been stated that if there is not a compromise the Congress will adjourn before there is time to bring the petition up for action the necessary number of days after it has been signed and been on the Legislative Calendar. If Congress plans to adjourn on the 31st of July, I can see no reason why the Members who are interested in seeing H. R. 9020 pass should not sign the petition. I do not believe for one minute the Congress will adjourn without seeing that the veterans are cared for. They have been the forgotten men all through this legislative year. In spite of repeated requests for rules on our bills, scarcely a rule has been granted. I for one do not know what I can say when I talk to the veterans of the country. I have to tell them we have not passed much legislation. Certainly the veterans of all the people in the United States today should be considered and should have their legislation voted upon. I cannot believe that this Congress will close its doors for the season to veterans' legislation. You cannot say to the veteran when you go home, "You are forgotten, you have been forgotten," because we would not be in Congress today if the veterans had not sent us.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. SCRIVNER on the subject Sport Car Racing on Strategic Air Command Bases and to include a GAO report.

Mr. BURDICK and to include extraneous matter.

Mr. POFF (at the request of Mr. YOUNGER) and to include extraneous matter.

Mr. FORRESTER.

Mr. REAMS.

Mr. DIES.

Mr. ZABLOCKI (at the request of Mr. JOHNSON of Wisconsin).

Mr. ROONEY to revise and extend his remarks made in Committee of the Whole today and to include extraneous matter.

Mr. KNOX.

Mr. SIEMINSKI in two instances and to include extraneous matter.

Mrs. HARDEN.

Mr. BERRY (at the request of Mr. ARENDS).

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3339. An act to authorize the Farm Credit Administration to make loans of the type formerly made by the Land Bank Commissioner; to the Committee on Agriculture.

S. 3713. An act to give effect to the International Convention for the High Seas Fisheries of the North Pacific Ocean, signed at Tokyo, May 9, 1952, and for other purposes; to the Committee on Merchant Marine and Fisheries.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2617. An act for the relief of Guillermo Morales Chacon;

H. R. 2846. An act authorizing the President to exercise certain powers conferred upon him by the Hawaiian Organic Act in respect of certain property ceded to the United States by the Republic of Hawaii, notwithstanding the acts of August 5, 1939, and June 16, 1940, or other acts of Congress;

H. R. 4928. An act to authorize the Secretary of Agriculture to convey a certain parcel of land to the city of Clifton, N. J.;

H. R. 6263. An act to authorize the Secretary of Agriculture to convey certain lands in Alaska to the Rotary Club of Ketchikan, Alaska;

H. R. 6642. An act for the relief of Mrs. Augusta Selmer-Andersen;

H. R. 6882. An act to amend the act of September 27, 1950, relating to construction of the Vermejo reclamation project;

H. R. 6975. An act authorizing the Secretary of the Interior to convey certain lands to the Siskiyou Joint Union High School District, Siskiyou County, Calif.;

H. R. 7012. An act for the relief of Nicole Goldman;

H. R. 8549. An act granting the consent of Congress to The Breaks Interstate Park compact;

H. R. 8713. An act to amend section 1 (d) of the Helium Act (50 U. S. C. sec. 161 (d)), and to repeal section 3 (13) of the act entitled "An act to amend or repeal certain Government property laws, and for other purposes," approved October 31, 1951 (65 Stat. 701).

H. R. 9006. An act to authorize the Secretary of the Army to donate 28 paintings to the Australian War Memorial; and

H. R. 9242. An act to authorize certain construction at military and naval installations and for the Alaska Communications System, and for other purposes.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 2987. An act to provide for the transfer of hay and pasture seeds from the Commodity Credit Corporation to the Federal land-administering agencies.

BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on July 16, 1954, present to the President, for his approval, bills of the House of the following titles:

H. R. 1067. An act to authorize the Supreme Court of the United States to make and publish rules for procedure on review of decisions of the Tax Court of the United States;

H. R. 1673. An act for the relief of James I. Smith;

H. R. 5578. An act for the relief of Hatsuko Kuniyoshi Dillon;

H. R. 5731. An act to authorize the Secretary of the Interior to construct facilities to provide water for irrigation, municipal, domestic, military, and other uses from the Santa Margarita River, Calif., and for other purposes; and

H. R. 7664. An act to provide for the development of the Priest Rapids site on the Columbia River, Wash., under a license issued pursuant to the Federal Power Act.

ADJOURNMENT

Mr. ARENDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 13 minutes p. m.), under its previous order, the House adjourned until tomorrow, Tuesday, July 20, 1954, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1741. A letter from the Executive Director, Rubber Producing Facilities Disposal Commission, transmitting a report prepared by the Reconstruction Finance Corporation, the operating agency, with respect to its expenditures for repairs, replacements, additions, improvements, or maintenance of the Government-owned rubber-producing facilities during the 11-month period in fiscal year 1954, ending May 31, 1954, pursuant to section 15 of the Rubber Producing Facilities Disposal Act of 1953 (67 Stat. 408); to the Committee on Armed Services.

1742. A letter from the Director, Legislative Liaison, Department of the Air Force, transmitting the quarterly report of the number of officers assigned or detailed to permanent duty in the executive element of the Air Force at the seat of the Government as of the end of the fourth quarter of fiscal year 1954, pursuant to section 201 (c) of the Air Force Organization Act of 1951 (Public Law 150, 82d Cong.); to the Committee on Armed Services.

1743. A letter from the Director, Office of Defense Mobilization, Executive Office of the President, transmitting the quarterly report for the quarter ending March 31, 1954, pursuant to section 304 (b) of the Defense Production Act; to the Committee on Banking and Currency.

1744. A letter from the Acting Comptroller General of the United States, transmitting a report on the audit of Fish and Wildlife

Service, an agency in the Department of the Interior, for the fiscal year ended June 30, 1953, pursuant to the Budget and Accounting Act, 1921 (31 U. S. C. 53), and the Accounting and Auditing Act of 1950 (31 U. S. C. 67); to the Committee on Government Operations.

1745. A letter from the Assistant Secretary of the Interior, transmitting a proposed award of a concession permit to National Park Concessions, Inc., which will, when approved by the regional director, region No. 4, National Park Service, authorize a limited concession operation in the Hurricane Ridge Public Service Building, Olympic National Park, Wash., for the period June 15 to September 15, 1954, pursuant to the act of July 31, 1953 (67 Stat. 271); to the Committee on Interior and Insular Affairs.

1746. A letter from the Postmaster General, transmitting a draft of proposed legislation entitled "A bill relating to the payment of money orders"; to the Committee on Post Office and Civil Service.

1747. A letter from the Chief Justice, Supreme Court of the United States, transmitting the report of the proceedings of a special meeting of the Judicial Conference of the United States, held at Washington, D. C., April 15 and 16, 1954, pursuant to title 28, United States Code, section 331. (H. Doc. No. 475); to the Committee on the Judiciary and ordered to be printed.

1748. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting a copy of an order entered in the case of Fintan Patrick Walsh, file 56339/840, who has been found admissible into the United States, pursuant to section 212 (a) (28) (I) (ii) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1749. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders entered in cases where the authority contained in section 212 (d) (3) of the Immigration and Nationality Act was exercised in behalf of such aliens, pursuant to section 212 (d) (6) of the Immigration and Nationality Act; to the Committee on the Judiciary.

1750. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to Public Law 863, 80th Congress, amending subsection (c) of section 19 of the Immigration Act of February 5, 1917, as amended (8 U. S. C. 155 (c)); to the Committee on the Judiciary.

1751. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to section 244 (a) (5) of the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (5)); to the Committee on the Judiciary.

1752. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders granting the applications for permanent residence filed by the subjects, pursuant to section 4 of the Displaced Persons Act of 1948, as amended; to the Committee on the Judiciary.

1753. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders suspending deportation as well as a list of the persons involved, pursuant to section 244 (a) (1) of the Immigration and Nationality Act of 1952 (8 U. S. C. 1254 (a) (1)); to the Committee on the Judiciary.

1754. A letter from the Assistant Secretary of the Navy for Air, transmitting the annual report of all claims paid for the fiscal year beginning July 1, 1953, and ending June 30, 1954, pursuant to section 2673 of title 28, United States Code; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, pursuant to the order of the House of July 14, 1954, the following bill was reported on July 16, 1954:

Mr. TABER: Committee on Appropriations. H. R. 9936. A bill making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes; without amendment (Rept. No. 2266). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of July 15, 1954, the following bill was reported on July 16, 1954:

Mr. LECOMPTE: Committee on House Administration. H. R. 9413. A bill to reorganize the Capitol Police force in order to increase its efficiency in the performance of its duties; without amendment (Rept. No. 2267). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of July 15, 1954, the following bills were reported on July 17, 1954:

Mr. VORYS: Committee on Foreign Affairs. H. R. 9910. A bill to amend section 413 (b) of the Foreign Service Act of 1946; without amendment (Rept. No. 2268). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLCOTT: Committee on Banking and Currency. H. R. 9756. A bill to increase the borrowing power of Commodity Credit Corporation; without amendment (Rept. No. 2269). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLCOTT: Committee on Banking and Currency. S. 3589. An act to provide for the independent management of the Export-Import Bank of Washington under a board of directors, to provide for the representation of the bank on the National Advisory Council on International Monetary and Financial Problems and to increase the bank's lending authority; without amendment (Rept. No. 2270). Referred to the Committee of the Whole House on the State of the Union.

Under clause 2 of rule XIII, pursuant to the order of the House of July 15, 1954, the following conference report was filed on July 17, 1954:

Mr. WOLCOTT: Committee of conference. H. R. 7839. A bill to aid in the provision and improvement of housing, the elimination and prevention of slums, and the conservation and development of urban communities (Rept. No. 2271). Ordered to be printed.

[*Submitted July 19, 1954*]

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURDICK: Committee of conference. H. R. 5185. A bill for the relief of Klyce Motors, Inc. (Rept. No. 2272). Ordered to be printed.

Mr. BURDICK: Committee of conference. H. R. 2098. A bill to provide for determining the compensation of certain persons whose lands have been flooded and damaged by reason of fluctuations in the water level of the Lake of the Woods, Minn. (Rept. No. 2273). Ordered to be printed.

Mr. D'EWART: Committee of conference. H. R. 4854. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the irrigation works comprising the Foster Creek division of the Chief Joseph Dam project, Washington (Rept. No. 2274). Ordered to be printed.

Mr. ARENDS: Committee of conference. H. R. 8571. A bill to authorize the construction of naval vessels, and for other purposes (Rept. No. 2275). Ordered to be printed.

Mr. KEATING: Committee of Conference. S. 252. An act to permit all civil actions against the United States for recovery of taxes erroneously or illegally assessed or collected to be brought in the district courts with right of trial by jury (Rept. No. 2276). Ordered to be printed.

Mr. REES of Kansas: Committee on Post Office and Civil Service. Report on performance rating plans in the Federal Government; without amendment (Rept. No. 2277). Referred to the Committee of the Whole House on the State of the Union.

Mr. REES of Kansas: Committee on Post Office and Civil Service. Second intermediate report pertaining to a survey and study of postal transportation; without amendment (Rept. No. 2278). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 9888. A bill to amend the laws granting education and training benefits to certain veterans to extend the period during which such benefits may be offered; with amendment (Rept. No. 2279). Referred to the Committee of the Whole House on the State of the Union

Mr. GRAHAM: Committee on the Judiciary. House Joint Resolution 527. Joint resolution to provide for the protection of defense facilities; with amendment (Rept. No. 2280). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNGER: Committee on Interstate and Foreign Commerce. H. R. 6310. A bill to amend the Civil Aeronautics Act of 1938 to exempt operations in the transportation of livestock, fish, and agricultural, floricultural, and horticultural commodities from the act and from regulation by the Civil Aeronautics Board thereunder; without amendment (Rept. No. 2281). Referred to the Committee of the Whole House on the State of the Union.

Mr. SHORT: Committee on Armed Services. H. R. 9924. A bill to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes; without amendment (Rept. No. 2282). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROBSION of Kentucky: Committee on the Judiciary. H. R. 8034. A bill for the incorporation of the Sons of Union Veterans of the Civil War; with amendment (Rept. No. 2283). Referred to the House Calendar.

Mr. PELLY: Committee on Interstate and Foreign Commerce. S. 3464. An act to amend the Communications Act of 1934 in order to make certain provision for the carrying out of the Agreement for the Promotion of Safety on the Great Lakes by Means of Radio; with amendment (Rept. No. 2284). Referred to the Committee of the Whole House on the State of the Union.

Mr. PELLY: Committee on Interstate and Foreign Commerce. S. 2453. An act to amend the Communications Act of 1934, as amended, with respect to implementing the International Convention for the Safety of Life at Sea relating to radio equipment and radio operators on board ship; with amendment (Rept. No. 2285). Referred to the Committee of the Whole House on the State of the Union.

Mr. McCONNELL: Committee of conference. S. 2759. An act to amend the Vocational Rehabilitation Act so as to promote and assist in the extension and improvement of vocational rehabilitation services, provide for a more effective use of available Federal funds, and otherwise improve the provisions of that act, and for other purposes (Rept. No. 2286). Ordered to be printed.

Mr. McCONNELL: Committee of conference. H. R. 9040. A bill to authorize cooperative research in education (Rept. No. 2287). Ordered to be printed.

Mr. McCONNELL: Committee of conference. H. R. 7601. A bill to provide for a White House Conference on Education (Rept. No. 2288). Ordered to be printed.

Mr. McCONNELL: Committee of conference. H. R. 7434. A bill to establish a National Advisory Committee on Education (Rept. No. 2289). Ordered to be printed.

Mr. HOPE: Committee on Agriculture. S. 3137. An act to make the provisions of the act of August 28, 1937, relating to the conservation of water resources in the arid and semiarid areas of the United States, applicable to the entire United States, and to increase and revise the limitation on aid available under the provisions of the said act, and for other purposes; with amendment (Rept. No. 2290). Referred to the Committee of the Whole House on the State of the Union.

Mr. GRAHAM: Committee on the Judiciary. H. R. 7130. A bill to provide for the forfeiture of the citizenship of persons convicted of advocating or conspiring to advocate the overthrow of the Government by force or violence; with amendment (Rept. No. 2291). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 642. Resolution for the consideration of H. R. 6004, a bill to amend part II of title III of the Communications Act of 1934, so as to require the installation of an automatic radio call selector on cargo ships of the United States carrying less than two radio operators, and for other purposes; without amendment (Rept. No. 2292). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 643. Resolution for consideration of H. R. 9859, a bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; without amendment (Rept. No. 2293). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 644. Resolution for consideration of H. R. 9756, a bill to increase the borrowing power of Commodity Credit Corporation; without amendment (Rept. No. 2294). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 645. Resolution for consideration of S. 3589, an act to provide for the independent management of the Export-Import Bank of Washington under a Board of Directors, to provide for the representation of the bank on the National Advisory Council on International Monetary and Financial Problems and to increase the bank's lending authority; without amendment (Rept. No. 2295). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 646. Resolution waiving all points of order against H. R. 9936, a bill making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes; without amendment (Rept. No. 2296). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, pursuant to the order of the House of July 14, 1954, the following bill was introduced on July 16, 1954:

By Mr. TABER:

H. R. 9936. A bill making supplemental appropriations for the fiscal year ending June 30, 1955, and for other purposes; to the Committee on Appropriations.

[*Introduced and referred July 19, 1954*]

Under clause 4 of rule XXII public bills and resolutions were introduced and severally referred as follows:

By Mr. EDMONDSON:

H. R. 9937. A bill to authorize the Farm Credit Administration to make loans of the type formerly made by the Land Bank Commissioner; to the Committee on Agriculture.

By Mr. HARRISON of Wyoming:

H. R. 9938. A bill to amend the Internal Revenue Code of 1954 to provide emergency tax relief to livestock growers who are forced to dispose of their herds because of drought or other natural causes beyond their control; to the Committee on Ways and Means.

By Mr JENSEN:

H. R. 9939. A bill making an appropriation for the Little Sioux River, Iowa, flood control project for the year ending June 30, 1955; to the Committee on Appropriations.

By Mr. JONES of Alabama:

H. R. 9940. A bill to authorize the Farm Credit Administration to make loans of the type formerly made by the Land Bank Commissioner; to the Committee on Agriculture.

By Mr. KNOX:

H. R. 9941. A bill to amend the Internal Revenue Code of 1939 with respect to definition of a Western Hemisphere trade corporation; to the Committee on Ways and Means.

By Mr. O'NEILL:

H. R. 9942. A bill to amend paragraph 717 of title I of the Tariff Act of 1930, with respect to duties applicable in the case of fish sticks; to the Committee on Ways and Means.

By Mr. PHILBIN (by request):

H. R. 9943. A bill to amend the Mustering-Out Payment Act of 1944, and for other purposes; to the Committee on Armed Services.

By Mr. RAY:

H. R. 9944. A bill to provide for intensified research into the causes, hazards, and effects of air pollution, and the methods for its prevention and control, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. REES of Kansas:

H. R. 9945. A bill to provide for the purchase of bonds to cover postmasters, officers, and employees of the Post Office Department, contractors with the Post Office Department, mail clerks of the Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

By Mrs. ROGERS of Massachusetts (by request):

H. R. 9946. A bill to amend the Mustering-Out Payment Act of 1944, and for other purposes; to the Committee on Armed Services.

By Mr. SIMPSON of Pennsylvania:

H. R. 9947. A bill to amend section 208 (b) of the Technical Changes Act of 1953 (Public Law 287, 83d Cong.); to the Committee on Ways and Means.

By Mr. YORTY:

H. R. 9948. A bill to provide for the construction of the San Luis Reservoir, the San Luis West Side Canal, the Avenal Gap Reservoir, and the Avenal Canal, Central Valley project, Calif.; to the Committee on Interior and Insular Affairs.

By Mr. DIES:

H. Res. 641. Resolution proposing a special committee to investigate public property; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GWINN:

H. R. 9949. A bill for the relief of Uldric Thompson, Jr.; to the Committee on the Judiciary.

By Mr. KERSTEN of Wisconsin:

H. R. 9950. A bill for the relief of certain Polish orphans; to the Committee on the Judiciary.

By Mr. MASON:

H. R. 9951. A bill for the relief of Margareth Berg Kiessling; to the Committee on the Judiciary.

By Mr. RABAUT:

H. R. 9952. A bill for the relief of Nurhan Akarakcian; to the Committee on the Judiciary.

By Mr. SCHERER:

H. R. 9953. A bill for the relief of Mr. Fu-Ho Chan and Mrs. Fu-Ho Chan; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1106. By the SPEAKER: Petition of the president, National Federation of Business and Professional Women's Clubs, Inc., New York, N. Y., urging favorable consideration of statehood for Hawaii and Alaska; to the Committee on Interior and Insular Affairs.

1107. Also, petition of the city clerk, Ottumwa, Iowa, urging action without further delay by the Federal Government in the matter of the construction of dams on the Des Moines River; to the Committee on Public Works.

EXTENSIONS OF REMARKS

Western Hemisphere Trade Corporation

EXTENSION OF REMARKS

OF

HON. VICTOR A. KNOX

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 19, 1954

Mr. KNOX. Mr. Speaker, under leave to extend my remarks, I wish to include herein a statement pertaining to a measure which I have introduced today to amend the Internal Revenue Code of 1939 with respect to the definition of a Western Hemisphere trade corporation.

In 1942 Congress added section 109 to the Internal Revenue Code, as follows:

SEC. 109. Western Hemisphere trade corporations.

For the purposes of this chapter, the term "Western Hemisphere trade corporation" means a domestic corporation all of whose business is done in any country or countries in North, Central, or South America, or in the West Indies, or in Newfoundland and which satisfies the following conditions:

(a) If 95 percent or more of the gross income of such domestic corporation for the 3-year period immediately preceding the close of the taxable year (or for such part of such period during which the corporation was in existence) was derived from sources other than sources within the United States; and

(b) If 90 percent or more of its gross income for such period or such part thereof was derived from the active conduct of a trade or business.